

UNPUBLISHED

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

UNITED STATES OF AMERICA,  
*Plaintiff-Appellee,*

v.

JOHN HARVEY DECOTEAU,  
*Defendant-Appellant.*

No. 01-4727

Appeal from the United States District Court  
for the Western District of North Carolina, at Bryson City.  
Lacy H. Thornburg, District Judge.  
(CR-95-126)

Submitted: January 23, 2002

Decided: February 8, 2002

Before TRAXLER, KING, and GREGORY, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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**COUNSEL**

Paul K. Sun, Jr., ELLIS & WINTERS, L.L.P., Cary, North Carolina,  
for Appellant. Robert J. Conrad, Jr., United States Attorney, Thomas  
R. Ascik, Assistant United States Attorney, Asheville, North Caro-  
lina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See  
Local Rule 36(c).

**OPINION**

## PER CURIAM:

John Harvey Decoteau appeals from the revocation of his supervised release and the imposition of a twelve-month prison term. Finding no abuse of discretion, we affirm.

We review for abuse of discretion the district court's decision to revoke a defendant's supervised release and impose a sentence after revocation. *United States v. Wells*, 163 F.3d 889, 898-99 (4th Cir. 1998); *United States v. Davis*, 53 F.3d 638, 642-43 (4th Cir. 1995). The district court may revoke a defendant's term of supervised release if the court finds, by a preponderance of the evidence, that the defendant violated a condition of supervised release. 18 U.S.C.A. § 3583(e)(3) (West 2000); *United States v. Copley*, 978 F.2d 829, 831 (4th Cir. 1992). There was sufficient evidence for the district court to revoke Decoteau's term of supervised release and sentence him to twelve months' imprisonment. We therefore find no abuse of discretion.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

*AFFIRMED*