

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-4800

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

WILLIAM FERRIS WHITE, a/k/a William Ferry
White,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Claude M. Hilton, Chief District Judge. (CR-01-106-A)

Submitted: March 21, 2002

Decided: March 27, 2002

Before NIEMEYER, WILLIAMS, and MICHAEL, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Paul P. Vangellow, PAUL P. VANGELLOW, P.C., Falls Church, Virginia, for Appellant. Paul J. McNulty, United States Attorney, Michael E. Rich, Assistant United States Attorney, Alexandria, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

In this appeal, William White, sentenced to thirty-seven months' imprisonment following his conditional guilty plea to one count of being a felon in possession of a firearm, see 18 U.S.C.A. § 922(g)(1) (West 2000), challenges only the district court's denial of his motion to dismiss his indictment for lack of jurisdiction. In that motion, White argued the interstate commerce requirement of § 922(g) could not be satisfied by simply possessing a firearm that had traveled in interstate commerce. However, because this theory has been rejected, see Scarborough v. United States, 431 U.S. 563, 575 (1977); United States v. Wells, 98 F.3d 808, 811 (4th Cir. 1996), we find the district court properly denied White's motion. Accordingly, we affirm White's conviction and sentence and 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