

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-4894**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JOHARI JIBRI ANDERSON,

Defendant - Appellant.

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Appeal from the United States District Court for the Middle District of North Carolina, at Durham. William L. Osteen, District Judge. (CR-01-95)

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Submitted: May 28, 2002

Decided: June 11, 2002

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Before WIDENER and WILLIAMS, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Jeffrey B. Welty, POYNER & SPRUILL, L.L.P., Raleigh, North Carolina, for Appellant. Anna Mills Wagoner, United States Attorney, Robert A.J. Lang, Assistant United States Attorney, Randall S. Galyon, Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Johari Jibri Anderson appeals the district court's order convicting him of being a felon in possession of a firearm in violation of 18 U.S.C.A. § 922(g)(1) (West 2000), after denying his motion to suppress evidence. He claims that his encounter with the police constituted a seizure for purposes of the Fourth Amendment that was unsupported by reasonable suspicion and exceeded the scope of the apartment tenant's consent to search the apartment in which Anderson was present. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See United States v. Anderson, No. CR-01-95 (M.D.N.C. June 20 and November 19, 2001). 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