

UNPUBLISHED
UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

UNITED STATES OF AMERICA, <i>Plaintiff-Appellee,</i>
v.
HARRY CHARITY, III, <i>Defendant-Appellant.</i>

No. 01-4908

Appeal from the United States District Court
for the Eastern District of Virginia, at Alexandria.
Leonie M. Brinkema, District Judge.
(CR-94-190)

Submitted: April 12, 2002

Decided: April 29, 2002

Before WIDENER, MICHAEL, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

COUNSEL

Alan H. Yamamoto, Alexandria, Virginia, for Appellant. Paul J. McNulty, United States Attorney, Silvia Ferroni, Special Assistant United States Attorney, Alexandria, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Harry Charity, III appeals the district court's revocation of his supervised release and related imposition of an eight month sentence. Charity claims the court erred in failing to allow him the opportunity to rebut uncorroborated hearsay introduced at his revocation hearing. We review the district court's decision to revoke supervised release for abuse of discretion. *See United States v. Copley*, 978 F.2d 829, 831 (4th Cir. 1992). After carefully reviewing the record before us, we conclude the court did not abuse its discretion.

The court relied on undisputed evidence of repeated violations, including drug abuse, which supplied adequate grounds for revocation of Charity's supervised release. *See United States v. Clark*, 30 F.3d 23, 25 (4th Cir. 1994). Moreover, although Charity contends the court would not have sentenced him to a term of imprisonment absent the introduction of the hearsay evidence, the court specifically found that the hearsay testimony was not dispositive to its determination and cited Charity's numerous past violations as the grounds for its decision to sentence him to a term of imprisonment. Accordingly, we affirm the judgment of the district court. 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