

UNPUBLISHED

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

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

MILTON HARDY,
Defendant-Appellant.

No. 01-4930

Appeal from the United States District Court
for the Western District of Virginia, at Roanoke.
Samuel G. Wilson, Chief District Judge;
Glen E. Conrad, Magistrate Judge.
(CR-01-49)

Submitted: March 27, 2002

Decided: April 15, 2002

Before WIDENER, LUTTIG, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

COUNSEL

Phillip R. Lingafelt, GLENN, FELDMANN, DARBY &
GOODLATTE, Roanoke, Virginia, for Appellant. John L. Brownlee,
United States Attorney, Sharon Burnham, Assistant United States
Attorney, Roanoke, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Milton Hardy appeals the district court's order affirming Hardy's conviction for stalking, a Class A misdemeanor, 18 U.S.C.A. § 13 (West 2000) (incorporating Va. Code Ann. § 18.2-60.3 (Michie 1996)). *See* Fed. R. Crim. P. 58(g). We have reviewed the record and the district court's judgment and find no reversible error. We find the Government's evidence proves Hardy, on more than one occasion, engaged in conduct directed at Ida McBride with the intent to place McBride in reasonable fear of death, criminal sexual assault, or bodily injury, or with the knowledge that his actions would cause McBride fear. *See Bowen v. Commonwealth*, 499 S.E.2d 20, 22 (Va. App. 1998). We further find federal jurisdiction existed because several instances of Hardy's conduct occurred on federal property. *See* 18 U.S.C.A. § 13 (incorporating Va. Code Ann. § 18.2-60.3). Accordingly, we affirm the district court's order. 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