

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-8100**

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O'MARK SHANELL BEST,

Petitioner - Appellant,

versus

UNITED STATES OF AMERICA,

Respondent - Appellee.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Malcolm J. Howard, District Judge. (CA-01-836-5-HO)

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Submitted: February 14, 2002

Decided: February 27, 2002

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Before WIDENER, LUTTIG, and GREGORY, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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O'Mark Shanell Best, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

O'Mark Shanell Best appeals the district court's order and judgment denying relief on his 28 U.S.C. § 2241 (1994) petition. We have reviewed the record and the district court's order and find no reversible error. Because Best was sentenced to less than twenty years' imprisonment, there was no violation under Apprendi v. New Jersey, 530 U.S. 466 (2000). See United States v. General, \_\_\_ F.3d \_\_\_, 2002 WL 90833 (4th Cir. 2002). Accordingly, we affirm. We deny Best's motion for appointment of counsel. 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