

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-4153

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

MELVIN OWENS JACKSON,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Jerome B. Friedman, District Judge. (CR-01-50)

Submitted: July 25, 2002

Decided: July 31, 2002

Before WILKINS, MOTZ, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

James B. Melton, Chesapeake, Virginia, for Appellant. Paul J. McNulty, United States Attorney, James Ashford Metcalf, Assistant United States Attorney, Norfolk, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Melvin Jackson, who was sentenced to fifty-two months' imprisonment following his conditional guilty plea to being a felon in possession of a firearm under 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, Jackson argued the interstate commerce requirement of § 922(g) could not be satisfied by possessing a firearm that had traveled in interstate commerce. However, because this claim is meritless, see United States v. Nathan, 202 F.3d 230, 234 (4th Cir. 2000), we find the district court properly denied Jackson's motion. Accordingly, we affirm Jackson'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