

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 02-4185**

---

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

KEITH A. HARRISON,

Defendant - Appellant.

---

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Robert E. Payne, District Judge. (CR-97-265)

---

Submitted: July 23, 2002

Decided: October 3, 2002

---

Before NIEMEYER, WILLIAMS, and KING, Circuit Judges.

---

Affirmed by unpublished per curiam opinion.

---

Frank W. Dunham, Jr., Federal Public Defender, Mary E. Maguire, Assistant Federal Public Defender, Richmond, Virginia, for Appellant. Paul J. McNulty, United States Attorney, Sara E. Flannery, Assistant United States Attorney, Richmond, Virginia, for Appellee.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Keith A. Harrison appeals the district court's order revoking his term of supervised release and sentencing him to eighteen months' imprisonment. Finding no error, we affirm.

Harrison contends the district court erred in refusing to admit evidence explaining why Harrison tested positive for cocaine use. We review for an abuse of discretion, see United States v. Francisco, 35 F.3d 116, 118 (4th Cir. 1994), and find none.

Harrison contends his eighteen-month sentence exceeds the statutory maximum provided by 18 U.S.C. § 3583(e)(3) (2000). We find the district court properly sentenced Harrison within the statutory maximum. See United States v. Hager, 288 F.3d 136 (4th Cir. 2002) (holding that a defendant does not receive credit against the maximum revocation prison term for time previously spent on home detention).

Accordingly, we affirm Harrison's conviction and sentence. 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