

UNPUBLISHED

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

UNITED STATES OF AMERICA,  
*Plaintiff-Appellee,*

v.

FREDDIE LEE GILL, SR.,  
*Defendant-Appellant.*

No. 02-4468

Appeal from the United States District Court  
for the Southern District of West Virginia, at Beckley.  
David A. Faber, District Judge.  
(CR-00-185)

Submitted: November 12, 2002

Decided: December 3, 2002

Before NIEMEYER and MOTZ, Circuit Judges, and  
HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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**COUNSEL**

Mary Lou Newberger, Federal Public Defender, Brian J. Kornbrath, Assistant Federal Public Defender, Charleston, West Virginia, for Appellant. Kasey Warner, United States Attorney, Monica K. Schwartz, Assistant United States Attorney, Charleston, West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

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### OPINION

#### PER CURIAM:

Freddie Lee Gill, Sr., appeals the district court's order revoking his supervised release and sentencing him to twenty-four months imprisonment. Gill's counsel has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967), raising one issue but representing that, in his view, there are no meritorious issues for appeal. Gill has filed a pro se supplemental brief merely citing to 4th Cir. R. 36(c),\* which we find meritless. Finding the issue raised by counsel is without merit and discerning no other error in the record below, we affirm.

Generally, we review the district court's decision to revoke supervised release for an abuse of discretion. *United States v. Copley*, 978 F.2d 829, 831 (4th Cir. 1992). However, because Gill did not object to the sentence in the district court, we review for plain error, *see United States v. Olano*, 507 U.S. 725, 732-37 (1993) (finding relief available only if error is plain, affects substantial rights, and seriously affects the fairness, integrity, or public reputation of judicial proceedings), and find none. *See United States v. Davis*, 53 F.3d 638, 642 (4th Cir. 1995).

In accordance with *Anders*, we have reviewed the record for reversible error and found none. We therefore affirm the district court's order revoking supervised release and imposing sentence. This court requires that counsel inform his client, in writing, of his right to petition the Supreme Court of the United States for further review. If the client requests that a petition be filed, then counsel may move this court for leave to withdraw from representation. Counsel's motion must state that a copy thereof was served on the client. We dispense with oral argument because the facts and legal contentions are ade-

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\*Rule 36(c) states that unpublished opinions are not binding precedent in this circuit.

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quately presented in the materials before the court and argument would not aid the decisional process.

*AFFIRMED*