

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 02-4738**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

MOISES RODRIGUEZ-VERA,

Defendant - Appellant.

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Appeal from the United States District Court for the Middle District of North Carolina, at Durham. N. Carlton Tilley, Jr., Chief District Judge. (CR-01-419)

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Submitted: November 6, 2003

Decided: November 20, 2003

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Before WIDENER, MICHAEL, and TRAXLER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Randolph Marshall Lee, Charlotte, North Carolina, for Appellant.  
Anna Mills Wagoner, United States Attorney, Sandra J. Hairston,  
Assistant United States Attorney, Greensboro, North Carolina, for  
Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Moises Rodriguez-Vera pled guilty to two counts of possession with intent to distribute cocaine, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B) (West 1999 & Supp. 2003), and one count of possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1) (2000). Rodriguez-Vera's attorney has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967), raising one potential issue for review but stating that, in his view, there are no meritorious issues for appeal. Rodriguez-Vera was advised of his right to file a pro se supplemental brief, but did not do so.

Rodriguez-Vera contends that the district court erred in determining the quantities of controlled substances attributable to him for purposes of calculating his sentencing range on the drug counts pursuant to the Sentencing Guidelines.\* Because Rodriguez-Vera did not object to the presentence report, our review is for plain error. See Fed. R. Crim. P. 52(b); United States v. Olano, 507 U.S. 725, 731-32 (1993). Our review of the record convinces us that the district court did not err in its sentencing calculations.

In accordance with Anders, we have reviewed the entire record in this case and have found no meritorious issues for appeal. We therefore affirm Rodriguez-Vera's convictions and sentence. This

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\* U.S. Sentencing Guidelines Manual (2001).

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, but counsel believes that such a petition would be frivolous, then counsel may move in 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 adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED