

UNPUBLISHED
UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

UNITED STATES OF AMERICA, <i>Plaintiff-Appellee,</i>
v.
EVERTON BARTLEY, <i>Defendant-Appellant.</i>

No. 02-4810

Appeal from the United States District Court
for the Western District of North Carolina, at Charlotte.
Graham C. Mullen, Chief District Judge.
(CR-00-210)

Submitted: April 18, 2003

Decided: May 15, 2003

Before MICHAEL, MOTZ, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

COUNSEL

David H. Rogers, Raleigh, North Carolina, for Appellant. Robert J. Conrad, Jr., United States Attorney, Gretchen C.F. Shappert, Assistant United States Attorney, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Everton Bartley appeals his conviction for conspiracy to possess with intent to distribute cocaine and cocaine base, in violation of 18 U.S.C. § 846 (2000), and conspiracy to import cocaine, 21 U.S.C. § 963 (2000). Finding no reversible error, we affirm.

Bartley contends he was denied his rights under the Speedy Trial Act, 18 U.S.C. § 3161 (2000), and his constitutional right to a speedy trial. We review the district court's factual findings for clear error and its legal conclusions de novo. *United States v. Stoudenmire*, 74 F.3d 60, 62 (4th Cir. 1996); *United States v. Reavis*, 48 F.3d 763, 770 (4th Cir. 1995). We find no error in the district court's decision to deny Bartley's motion to dismiss for denial of his statutory speedy trial rights. *See* 18 U.S.C. § 3161(h)(7), (8)(A); *United States v. Sarno*, 24 F.3d 618, 622 (4th Cir. 1994); *see also United States v. Tedder*, 801 F.2d 1437, 1450 (4th Cir. 1986). Bartley also asserts that the delay in proceedings violated his constitutional right to a speedy trial. This claim is likewise meritless. *See Barker v. Wingo*, 407 U.S. 514, 530 (1972); *United States v. Thomas*, 55 F.3d 144, 149 (4th Cir. 1995).

Accordingly, Bartley's conviction is affirmed. 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