

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-4905

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

RICHARD RUNYON,

Defendant - Appellant.

Appeal from the United States District Court for the Southern District of West Virginia, at Charleston. Joseph Robert Goodwin, District Judge. (CR-01-94)

Submitted: July 2, 2003

Decided: August 28, 2003

Before WIDENER, WILLIAMS, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

William D. Levine, ST. CLAIR & LEVINE, Huntington, West Virginia, for Appellant. Kasey Warner, United States Attorney, Steven I. Loew, Assistant United States Attorney, Charleston, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Richard Runyon appeals his convictions and sentence for conspiracy to commit bank fraud, 18 U.S.C. § 371 (2000); two counts of aiding and abetting bank fraud, 18 U.S.C. §§ 2, 1344 (2000); and one substantive count of bank fraud, 18 U.S.C. § 1344 (2000). Runyon claims, in part, that the district court erred in rejecting his plea agreement with the Government without giving a reason for such rejection.

However, our review of the record discloses no improper motivation for the rejection of the plea agreement. Accordingly, we conclude that any error in failing to disclose the reasons for rejection of the plea agreement is harmless.

We affirm the judgment of the district court. 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