

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 02-4982**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

RODNEY J. BROWN,

Defendant - Appellant.

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Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Samuel G. Wilson, Chief District Judge. (CR-02-46)

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Submitted: October 24, 2003

Decided: December 3, 2003

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Before MOTZ, GREGORY, and SHEDD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Anthony F. Anderson, Melissa W. Friedman, Roanoke, Virginia, for Appellant. John L. Brownlee, United States Attorney, R. Andrew Bassford, Assistant United States Attorney, Roanoke, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Rodney J. Brown appeals the judgment of the district court convicting him of possession with intent to distribute more than fifty grams of cocaine base, in violation of 21 U.S.C. § 841 (2000). On appeal, Brown claims that the Government produced insufficient evidence of its informant's reliability to support its search warrant. As noted by Brown in his brief, this court has previously addressed the reliability of informants with respect to controlled purchases of narcotics and found such use entirely appropriate. See United States v. Clyburn, 24 F.3d 613, 618 (4th Cir. 1994). Moreover, we find Brown's attempts to distinguish the facts of his case from Clyburn to be unpersuasive. Accordingly, we affirm Brown'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