

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-4246

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

MARDENA THOMAS,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Charleston. David C. Norton, District Judge. (CR-98-356)

Submitted: June 16, 2003

Decided: June 25, 2003

Before TRAXLER, KING, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

David K. Haller, RICHTER & HALLER, L.L.C., Mount Pleasant, South Carolina, for Appellant. J. Strom Thurmond, Jr., United States Attorney, Beth Drake, Assistant United States Attorney, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

In 1999, Mardena Thomas was convicted and sentenced for conspiracy to commit money laundering, in violation of 18 U.S.C. § 1956(h) (2000). In January 2003, the district court entered an amended judgment for correction of sentence pursuant to Fed. R. Crim. P. 36 to include an omitted reference to an order of forfeiture. Thomas now appeals the amended criminal judgment, claiming that the district court exceeded the scope of Rule 36 in amending the judgment.

Rule 36 provides that “[a]fter giving any notice it considers appropriate, the court may at any time correct a clerical error in a judgment, order, or other part of the record, or correct an error in the record arising from oversight or omission.” We have reviewed the transcript of the sentencing hearing and the order of forfeiture that was executed by the district court at the hearing, and find that the court properly amended the judgment to accurately reflect its intention at sentencing to include the forfeiture in the judgment.

Accordingly, we affirm the amended criminal judgment. 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