

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-4419**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

REBA PANDORA RICE,

Defendant - Appellant.

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Appeal from the United States District Court for the District of South Carolina, at Greenville. Henry M. Herlong, Jr., District Judge. (CR-02-1089)

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Submitted: February 25, 2004

Decided: March 29, 2004

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Before MICHAEL, GREGORY, and SHEDD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Andrew D. Grimes, ANDREW D. GRIMES, P.A., Summerville, South Carolina, for Appellant. J. Strom Thurmond, Jr., United States Attorney, Kevin F. McDonald, Assistant United States Attorney, Greenville, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Reba Pandora Rice appeals from a sentence of fifteen months' imprisonment following her guilty plea to marriage fraud and conspiracy to commit marriage fraud. In Rice's presentence report, the probation officer recommended that the offense level be increased by three levels pursuant to U.S. Sentencing Guidelines Manual § 3B1.1(b) (2002). The district court expressly adopted the findings of fact contained in the report.

Though Rice did not raise any objections to the presentence report at the time of her sentencing, she now contends that her offense level should not have been increased because the district court failed to recite its findings to support the adjustment. After careful review of the record, we find that Rice's challenge fails to demonstrate plain error. See United States v. Wells, 163 F.3d 889, 900 (4th Cir. 1998); United States v. Terry, 916 F.2d 157, 162 (4th Cir. 1990).

We accordingly affirm Rice'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