

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-4590

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DARREN L. KEYS,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Catherine C. Blake, District Judge. (CR-98-144-CCB)

Submitted: March 19, 2004

Decided: May 11, 2004

Before WILKINSON, MICHAEL, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

James Wyda, Federal Public Defender, Gary W. Christopher, First Assistant Federal Public Defender, Baltimore, Maryland, for Appellant. Thomas M. DiBiagio, United States Attorney, Harvey E. Eisenberg, Assistant United States Attorney, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Darren L. Keys was sentenced to twenty-seven months of imprisonment and three years of supervised release based on his conviction in the District of Maryland for violating 18 U.S.C. § 1029(a)(2) (2000). While on supervised release from that court, Keys was convicted by the District of Florida of similar crimes. Based in part on the Florida convictions, the District of Maryland revoked his supervised release and sentenced him to eighteen months of imprisonment to be followed by a new term of twelve months of supervised release. The eighteen-month sentence was imposed to run consecutively to Keys' Florida sentence. On appeal, Keys challenges the sentence imposed for violating his supervised release. Keys' counsel has filed a brief under Anders v. California, 386 U.S. 738 (1967), alleging that there are no meritorious claims on appeal but raising the following issue: whether the court erred by imposing Keys' eighteen-month sentence to run consecutively with his sentence for his convictions in the District of Florida. For the reasons that follow, we affirm.

We do not find that the district court abused its discretion by imposing Keys' sentence for violating his supervised release to run consecutively with his Florida convictions. United States v. Davis, 53 F.3d 638, 642-43 (4th Cir. 1995) (stating standard of review). More specifically, we do not find that the district court impermissibly imposed multiple punishments for the

same conduct. United States v. Mosley, 200 F.3d 218, 221 (4th Cir. 1999).

We have examined the entire record in this case in accordance with the requirements of Anders, including the issues raised in Keys' pro se supplemental brief, and find no meritorious issues for appeal. Accordingly, we affirm. We grant Keys' motion for an extension of time to file a reply brief but deny his motion to compel and "Emergency Motion to Stay All Proceedings." This court requires that counsel inform his client, in writing, of his right to petition the Supreme Court of the United States for further review. If the client requests that a petition be filed, but counsel believes that such a petition would be frivolous, then counsel may move in this court for leave to withdraw from representation. Counsel's motion must state that a copy thereof was served on the client. 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