

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 03-4651**

---

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

MICHAEL O. SHELL,

Defendant - Appellant.

---

Appeal from the United States District Court for the District of South Carolina, at Greenville. Henry M. Herlong, Jr., District Judge. (CR-95-105)

---

Submitted: February 19, 2004

Decided: February 25, 2004

---

Before NIEMEYER, GREGORY, and SHEDD, Circuit Judges.

---

Affirmed by unpublished per curiam opinion.

---

David W. Plowden, Assistant Federal Public Defender, Greenville, South Carolina, for Appellant. Elizabeth Jean Howard, OFFICE OF THE UNITED STATES ATTORNEY, Greenville, South Carolina, for Appellee.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Michael O. Shell appeals the district court's judgment revoking his supervised release and imposing a prison term of twenty-four months. Shell's counsel filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), stating that there were no meritorious grounds for appeal but raising the issue of whether the district court abused its discretion by revoking Shell's supervised release. Shell was advised of his right to file a pro se supplemental brief but has declined to do so.

We have reviewed the record on appeal and conclude that the district court did not abuse its discretion by revoking Shell's supervised release and imposing a prison sentence. See United States v. Davis, 53 F.3d 638, 642 (4th Cir. 1995) (providing standard of review).

In accordance with the requirements of Anders, we have reviewed the entire record in this case and have found no meritorious issues for appeal. Accordingly, we affirm the revocation of Shell's supervised release and his sentence. 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