

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 03-4676**

---

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

RALPH H. COWGILL,

Defendant - Appellant.

---

Appeal from the United States District Court for the District of South Carolina, at Greenville. Margaret B. Seymour, District Judge. (CR-02-263)

---

Submitted: March 25, 2004

Decided: March 30, 2004

---

Before TRAXLER, KING, and DUNCAN, Circuit Judges.

---

Affirmed by unpublished per curiam opinion.

---

Ann Briks Walsh, Assistant Federal Public Defender, Charleston, South Carolina, for Appellant. Kevin F. McDonald, Assistant United States Attorney, Greenville, South Carolina, for Appellee.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Ralph H. Cowgill pled guilty to one count of sending written threatening communications through the Postal Service in violation of 18 U.S.C. § 976 (2000). He received a sixteen-month sentence. Cowgill's attorney has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967), stating that, in her opinion, there are no meritorious issues for appeal, but asserting that the district court failed to meet the requirements of Rule 11 of the Federal Rules of Criminal Procedure at the plea hearing and failed to properly calculate Cowgill's sentence. Cowgill has filed a pro se supplemental brief. Finding no reversible error, we affirm.

Neither claim presented by counsel was preserved in the district court. Therefore, they are reviewed for plain error. United States v. Martinez, 277 F.3d 517, 526-27 (4th Cir.), cert. denied, 537 U.S. 899 (2002). First, Cowgill contends his Fed. R. Crim. P. 11 plea hearing was inadequate. In light of the district court's thorough plea colloquy, we find Cowgill was fully aware of his rights and the consequences of his plea and that his plea was knowing and voluntary. We find the district court complied with the requirements of Fed. R. Crim. P. 11 in accepting Cowgill's plea.

Next, Cowgill challenges the district court's calculation of the guideline range and the specific sentence imposed. We find

that the guideline range was correctly calculated. Furthermore, because the sentence is within the properly calculated guideline range and the statutory maximum penalty for the offense, this court has no authority to review the district court's imposition of this specific sentence. United States v. Porter, 909 F.2d 789, 794 (4th Cir. 1990).

We have reviewed the entire record in this case in accordance with the requirements of Anders and find no meritorious issues for appeal. We further find Cowgill's claims in his pro se supplemental brief without merit. Accordingly, we affirm the judgment of the district court. This court requires that counsel inform her 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 in the decisional process.

AFFIRMED