

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-4868

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ANTOINE LAMONTE MOBLEY,

Defendant - Appellant.

Appeal from the United States District Court for the Middle District of North Carolina, at Winston-Salem. William L. Osteen, District Judge. (CR-95-30)

Submitted: April 15, 2004

Decided: April 20, 2004

Before NIEMEYER and GREGORY, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Thomas N. Cochran, Assistant Federal Public Defender, Greensboro, North Carolina, for Appellant. Angela Hewlett Miller, OFFICE OF THE UNITED STATES ATTORNEY, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Antoine Lamonte Mobley appeals the imposition of a twenty-one month sentence of imprisonment after the revocation of his supervised release. Counsel for Mobley has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), in which he states there are no meritorious issues for appeal, but presenting one issue for this Court's review. Although notified of his right to file a supplemental pro se brief, Mobley has not done so.

Mobley contends that the sentence imposed was too severe. After Mobley's admitted violations of the terms of his supervised release, the district court determined that Mobley's suggested prison term was 21 to 24 months. USSG § 7B1.4(b)(2) (2003). The court sentenced Mobley at the low end of this suggested range. He has provided no support for his claim that this sentence is too severe. Accordingly, we reject Mobley's argument and affirm the sentence.

In accordance with Anders, we have reviewed the entire record in this case and have found no meritorious issues for appeal. Because 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, we deny counsel's motion to withdraw at this time. 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