

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-6667

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ANGELA JAMES, a/k/a Angela Airy James, a/k/a
Barbara Ann Patterson,

Defendant - Appellant.

Appeal from the United States District Court for the Western
District of North Carolina, at Charlotte. Richard L. Voorhees,
District Judge. (CR-97-160-3)

Submitted: October 23, 2003

Decided: October 30, 2003

Before WILLIAMS, MOTZ, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Angela James, Appellant Pro Se. Gretchen C.F. Shappert, Assistant
United States Attorney, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Angela James appeals from the district court's order denying her motions seeking modification of her sentence. James pled guilty to drug trafficking charges in 1998. In her plea agreement, James waived her right to appeal her conviction or sentence in any direct appeal or post-conviction action. A waiver-of-appeal provision in a valid plea agreement is enforceable if it results from "a knowing and intelligent decision to forego the right to appeal." United States v. Wessells, 936 F.2d 165, 167 (4th Cir. 1991). We find that the record shows that James knowingly and intelligently waived her right to appeal. Consequently, the valid appeal waiver precludes review of her motions to modify her sentence. Accordingly, we affirm the district court's order denying the motions. 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