

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 05-4204**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JOJENA ADKINS,

Defendant - Appellant.

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Appeal from the United States District Court for the Southern District of West Virginia, at Charleston. John T. Copenhaver, Jr., District Judge. (CR-04-144)

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Submitted: July 27, 2005

Decided: August 2, 2005

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Before KING, GREGORY, and SHEDD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Tim C. Carrico, CARRICO LAW OFFICES, LC, Charleston, West Virginia, for Appellant. Kasey Warner, United States Attorney, Karen B. George, Assistant United States Attorney, Charleston, West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Jojena Adkins appeals her conviction and one-year sentence for committing perjury in front of a grand jury, in violation of 18 U.S.C. § 1623 (2000). Adkins' attorney has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967), challenging the district court's refusal of her request that she serve her sentence under home confinement, but stating that he finds no meritorious grounds for appeal. Adkins was notified of her opportunity to file a pro se supplemental brief but has not done so. Finding no reversible error, we affirm.

At sentencing, Adkins withdrew her objections to the PSR and consented that the applicable guidelines range was twelve to eighteen months. In accordance with United States v. Booker, 125 S.Ct. 738, 764-65 (2005), the district court treated the Guidelines as advisory and, after considering the factors set forth in 18 U.S.C. § 3553 (2000), imposed a sentence at the low end of the applicable Guidelines range. Accordingly, we conclude that the sentence imposed was reasonable. Id.

In accordance with Anders, we have reviewed the entire record in this case and have found no meritorious issues for appeal. We, therefore, affirm Adkins' conviction and 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 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