

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 05-4614**

---

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

EUGENE DWIGHT HUNT,

Defendant - Appellant.

---

Appeal from the United States District Court for the Middle District of North Carolina, at Durham. Frank W. Bullock, Jr., District Judge. (CR-04-414)

---

Submitted: February 23, 2006

Decided: March 1, 2006

---

Before WIDENER, NIEMEYER, and KING, Circuit Judges.

---

Affirmed by unpublished per curiam opinion.

---

Louis C. Allen III, Federal Public Defender, Eric D. Placke, Assistant Federal Public Defender, Greensboro, North Carolina, for Appellant. Anna Mills Wagoner, United States Attorney, Lisa B. Boggs, Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Eugene Dwight Hunt pled guilty, pursuant to a written plea agreement, to possessing a firearm as a convicted felon, in violation of 18 U.S.C. § 922(g) (2000), and was sentenced to a fifteen-year minimum sentence because he was found to be an armed career criminal under 18 U.S.C. § 924(e)(1) (West Supp. 2005). On appeal, Hunt argues that the district court erred by sentencing him as an armed career criminal in violation of United States v. Booker, 543 U.S. 220 (2005), because this judicially-imposed sentencing enhancement was neither found by a jury nor admitted by him. We affirm.

Hunt's argument is foreclosed by two of our recent decisions. See United States v. Thompson, 421 F.3d 278, 282-84 (4th Cir.) (holding that district court may enhance sentence based on fact of prior convictions under § 924(e) regardless of whether admitted by defendant or found by jury), petition for cert. filed (Oct. 25, 2005) (No. 05-7266); United States v. Cheek, 415 F.3d 349, 352-53 (4th Cir.) (holding that the armed career criminal designation, based on prior convictions, does not violate the Sixth Amendment under Booker), cert. denied, 126 S. Ct. 640 (2005).

Accordingly, we affirm Hunt's sentence. 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