

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 06-4300**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

CHARLES ERVIN LADSON,

Defendant - Appellant.

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Appeal from the United States District Court for the District of South Carolina, at Columbia. Joseph F. Anderson, Jr., Chief District Judge. (3:04-cr-01142-JFA-1)

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Submitted: April 27, 2007

Decided: May 8, 2007

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Before WILKINSON, WILLIAMS, and MOTZ, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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W. Michael Duncan, AUSTIN, LEWIS & ROGERS, P.A., Columbia, South Carolina, for Appellant. Reginald I. Lloyd, United States Attorney, Anne Hunter Young, Assistant United State Attorney, Columbia, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Charles Ervin Ladson was found guilty by a jury of conspiracy to commit an offense or to defraud the United States (bank fraud) in violation of 18 U.S.C. §§ 371, 1344 (2000). He was sentenced to forty-one months of imprisonment within his calculated advisory sentencing range under the federal Sentencing Guidelines. On appeal, Ladson argues: (1) that the district court erroneously allowed testimony from his co-Defendants regarding statements made by an unindicted co-conspirator\* and (2) that his sentence is unreasonable. For the reasons that follow, we affirm.

First, we find no abuse of discretion in the district court's decision to admit the statements at issue into evidence under Fed. R. Evid. 801(d)(2)(E). United States v. Blevins, 960 F.2d 1252, 1255-56 (4th Cir. 1992) (stating standard). Second, we find that the district court's sentence, imposed within the advisory sentencing range and after considering the factors in 18 U.S.C.A. § 3553(a) (West 2000 & Supp. 2006), was reasonable. United States v. Johnson, 445 F.3d 339, 341 (4th Cir. 2006) (stating that a sentence within proper advisory Guidelines range is presumptively reasonable); United States v. Green, 436 F.3d 449, 456 (4th Cir.) (noting a court must calculate the advisory Guidelines range and then consider whether that range serves the

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\*Upon the record before us it is not entirely clear as to whether the statements at issue were made by the same or two different co-conspirators.

factors set forth in § 3553(a)), cert. denied, 126 S. Ct. 2309 (2006).

Accordingly, we affirm Ladson's conviction and 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