

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-4432

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

SHAWN LERAY BALDWIN,

Defendant - Appellant.

Appeal from the United States District Court for the Middle District of North Carolina, at Durham. Frank W. Bullock, Jr., Senior District Judge. (1:05-cr-00168-FWB)

Submitted: May 31, 2007

Decided: June 4, 2007

Before WILKINSON, TRAXLER, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

J. Scott Coalter, MCKINNEY & JUSTICE, P.A., Greensboro, North Carolina, for Appellant. Michael Augustus DeFranco, Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Shawn Leray Baldwin pled guilty to possession of a firearm in commerce after a felony conviction, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2) (2000), and was sentenced to eighty-four months in prison. Counsel for Baldwin has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), alleging he has found no meritorious issues for appeal, but stating as a possible ground for appeal the district court's denial of Baldwin's motion to suppress.* Baldwin was advised of his right to file a pro se supplemental brief but has not done so. The Government declined to file a responding brief. Finding no error, we affirm.

In accordance with Anders, we have reviewed the entire record in this case and have found no meritorious issues for appeal. Moreover, we find the Government produced ample evidence to establish police had probable cause to search Baldwin after hearing a gunshot and seeing Baldwin frantically try to shove something into his pants pocket. Accordingly, we find the district court correctly denied Baldwin's motion to suppress.

Finding no meritorious issues for appeal, we affirm Baldwin's conviction and sentence. This court requires that counsel inform Baldwin in writing of his right to petition the

*Baldwin reserved the right to appeal the denial of his motion to suppress.

Supreme Court of the United States for further review. If Baldwin 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 Baldwin. 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