

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-4802

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

TIMOTHY NORRIS EDWARDS,

Defendant - Appellant.

Appeal from the United States District Court for the District of
South Carolina, at Florence. R. Bryan Harwell, District Judge.
(4:05-cr-01214-RBH)

Submitted: January 17, 2007

Decided: February 14, 2007

Before KING, GREGORY, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

D. Craig Brown, Florence, South Carolina, for Appellant. Rose Mary
Parham, Assistant United States Attorney, Florence, South Carolina,
for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Pursuant to a plea agreement, Timothy Norris Edwards pled guilty to knowingly possessing in and affecting commerce, a firearm and ammunition, that is, a Rohm .22 caliber revolver and .22 caliber ammunition, all of which had been shipped and transported in interstate and foreign commerce, while previously having been convicted of a crime punishable by imprisonment for a term exceeding one year, in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2), and 924(e) (West 2000 & Supp. 2006). The district court sentenced Edwards to fifteen months' imprisonment and three years of supervised release. Edwards appealed, and counsel has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), finding no meritorious issues for appeal but raising the adequacy of the Rule 11 hearing. Edwards was informed of his right to file a pro se supplemental brief; however, he has not done so. Finding no reversible error, we affirm.

Because Edwards did not move in the district court to withdraw his guilty plea, his challenge to the adequacy of the Fed. R. Crim. P. 11 hearing is reviewed for plain error. See United States v. Martinez, 277 F.3d 517, 525 (4th Cir. 2002) (holding that "plain error analysis is the proper standard for review of forfeited error in the Rule 11 context"). Our review of the record leads us to conclude that the district court fully complied with the mandate of Rule 11 in accepting Edwards's guilty plea.

In accordance with Anders, we have reviewed the record in this case and have found no meritorious issues for appeal.* We therefore affirm Edwards's conviction and sentence. This court requires that counsel inform Edwards, in writing, of the right to petition the Supreme Court of the United States for further review. If Edwards 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 Edwards.

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

*To the extent Edwards asserted a claim of ineffective assistance of counsel in his pro se notice of appeal, we decline to review this issue on direct appeal as counsel's alleged ineffectiveness is not apparent from the record. See United States v. Baldovinos, 434 F.3d 233 (4th Cir.), cert. denied, 126 S. Ct. 1407 (2006).