

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-4107**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JASON DAVID MITCHELL,

Defendant - Appellant.

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Appeal from the United States District Court for the District of South Carolina, at Greenville. G. Ross Anderson, Jr., District Judge. (6:06-cr-00627-GRA)

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Submitted: September 19, 2007

Decided: September 27, 2007

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Before KING and SHEDD, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Rodney W. Richey, RICHEY AND RICHEY, Greenville, South Carolina, for Appellant. Maxwell B. Cauthen, III, OFFICE OF THE UNITED STATES ATTORNEY, Greenville, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jason David Mitchell pled guilty without a plea agreement to one count of possession of a firearm by a convicted felon, in violation of 18 U.S.C. § 922(g)(1) (2000) and 18 U.S.C.A. § 924(e) (West 2000 & Supp. 2007). Under the Armed Career Criminal Act, 18 U.S.C. § 924(e), Mitchell was sentenced to the statutorily mandated minimum sentence of 180 months' imprisonment plus three years of supervised release. Counsel has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967), stating that there are no meritorious issues for appeal, but asserting that the district court erred by imposing 180 months' imprisonment. Mitchell was advised of his right to file a pro se supplemental brief, but has not done so. We affirm.

Although Mitchell contends that his fifteen-year sentence is unreasonable considering the circumstances of his offense, the district court had no discretion to depart from the mandatory minimum sentence under 18 U.S.C. § 924(e). See United States v. Robinson, 404 F.3d 850, 862 (4th Cir. 2005).

Pursuant to Anders, we have examined the entire record and find no meritorious issues for appeal. We therefore affirm Mitchell's 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 Mitchell requests that such 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 Mitchell.

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