

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-4475

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

TITO LEMONT KNOX,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Greenville. Henry M. Herlong, Jr., Senior District Judge. (6:06-cr-00269-HMH-1)

Submitted: October 2, 2009

Decided: November 6, 2009

Before MICHAEL, MOTZ, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

David W. Plowden, Assistant Federal Public Defender, Greenville, South Carolina, for Appellant. Maxwell B. Cauthen, III, Assistant United States Attorney, Greenville, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tito Lemont Knox appeals the district court's order revoking his conditional discharge pursuant to 18 U.S.C. § 4243(g) (2006). Knox's counsel has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), raising one issue but stating that, in his view, there are no meritorious grounds for appeal. Counsel questions whether the district court erred in remanding Knox to a treatment facility because he posed a substantial risk of danger to others as a result of his mental disorder. Knox has filed pro se supplemental informal briefs.* We affirm.

After a hearing, the district court found that Knox "violated the conditions of his release by failing to participate in psychiatric treatment . . . and refusing to take psychotropic medication" as ordered by the court. United States v. Knox, No. 6:06-cr-00269-HMH-1 (D.S.C. May 12, 2009, at 3). The court also concluded "that Knox's continued release would create a substantial risk of bodily injury to another person or serious damage to property of another." (Id.). Our thorough review of the record leads us to conclude that the

* We have reviewed carefully the issues raised in the pro se supplemental informal briefs. Knox's claim that he did not violate his conditional discharge by using marijuana is belied by the record, and we decline to review the district court's denial of Knox's motion to suppress evidence in this appeal.

district court did not err in revoking Knox's conditional discharge.

Accordingly, we affirm the order of the district court. We deny Knox's motions for discovery, for sanctions, and for release. This court requires that counsel inform his client, in writing, of the right to petition the Supreme Court of the United States for further review. If the client 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 the client. 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