

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-4217

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ADELAIDE L. GILMORE, a/k/a Adelaide K. Williams,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Rebecca Beach Smith, District Judge. (2:09-cr-00124-RBS-JEB-1)

Submitted: July 14, 2010

Decided: August 6, 2010

Before NIEMEYER, MOTZ, and KING, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Dennis M. Hart, Washington, D.C., for Appellant. Joseph Kosky, Special Assistant United States Attorney, Norfolk, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Adelaide L. Gilmore appeals the district court's order denying her motion for release pending the appeal. Gilmore's counsel has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), stating that there are no meritorious issues justifying release pending appeal but questioning whether Gilmore has presented a substantial issue in her appeal of her conviction and sixty-month sentence for making a false statement to obtain federal employees' compensation.* Because we have dismissed Gilmore's appeal from the underlying criminal judgment, her appeal from the court's order denying release pending appeal is moot.

Accordingly, we dismiss the appeal. This court requires that counsel inform Gilmore, in writing, of her right to petition the Supreme Court of the United States for further review. If Gilmore 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 Gilmore. We dispense with oral argument because the facts and legal contentions are adequately presented in the

* Counsel notified Gilmore of her right to file a pro se supplemental brief, but Gilmore has not filed one.

materials before the court and argument would not aid the decisional process.

DISMISSED