

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-7050

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

SHERMAN LITTLE,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern
District of Virginia, at Norfolk. Henry Coke Morgan, Jr.,
Senior District Judge. (2:07-cr-00008-HCM-FBS-1)

Submitted: November 17, 2011

Decided: November 23, 2011

Before KING, DAVIS, and WYNN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Sherman Little, Appellant Pro Se. Laura Marie Everhart,
Assistant United States Attorney, Norfolk, Virginia, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Sherman Little appeals the district court's order denying his motion to dismiss the indictment underlying his 2007 federal convictions. Little claimed that a defect in his indictment deprived the district court of jurisdiction to convict and sentence him. The district court denied Little's motion, and we affirm.

A defective indictment will not deprive a district court of jurisdiction in a criminal case, United States v. Cotton, 535 U.S. 625, 629-31 (2002), and Little's valid guilty plea waived all prior non-jurisdictional defects. See Tollett v. Henderson, 411 U.S. 258, 267 (1973); United States v. Moussaoui, 591 F.3d 263, 279 (4th Cir. 2010). Therefore, we conclude that the district court correctly denied Little's motion.

Accordingly, we affirm. 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