

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-4129

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BRANDON TREVARUS WOODS,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Louise W. Flanagan, District Judge. (5:10-cr-00273-FL-1)

Submitted: August 7, 2012

Decided: September 6, 2012

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

Affirmed by unpublished per curiam opinion.

Thomas P. McNamara, Federal Public Defender, Stephen C. Gordon, Assistant Federal Public Defender, Raleigh, North Carolina, for Appellant. Thomas G. Walker, United States Attorney, Jennifer P. May-Parker, Joshua L. Rogers, Assistant United States Attorneys, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Brandon Trevarus Woods appeals his 120-month sentence imposed after convictions on two counts of being a felon in possession of a firearm, in violation of 18 U.S.C. §§ 922(g), 924 (2006), and one count of possessing a sawed-off shotgun, in violation of 26 U.S.C. §§ 5841(d), 5871 (2006), pursuant to his guilty plea. We affirm.

We review application of a sentencing enhancement for clear error. United States v. Cabrera-Beltran, 660 F.3d 742, 756 (4th Cir. 2011), cert. denied, 132 S. Ct. 1935 (2012). Clear error occurs when we are "left with the definite and firm conviction that a mistake has been committed." United States v. Harvey, 532 F.3d 326, 336 (4th Cir. 2008) (citation and internal quotation marks omitted).

USSG § 2K2.1(b)(1)(B) provides for an enhancement of a defendant's offense level under the Guidelines when the offense of conviction involved between eight and twenty-four firearms. We conclude that the district court did not clearly err in applying the enhancement in this case because the Government provided adequate evidence to support Woods's involvement with the requisite number of firearms. We thus find no procedural error in Woods's sentence.

Accordingly, we affirm the judgment of the district court. 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