

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-6751

UNITED STATES OF AMERICA,

Petitioner - Appellee,

v.

ANTON JOHNSON,

Respondent - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Terrence W. Boyle, District Judge. (5:09-hc-02045-BO)

Submitted: April 23, 2013

Decided: June 13, 2013

Before NIEMEYER, DIAZ, and THACKER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Richard Croutharmel, Raleigh, North Carolina, for Appellant.
Thomas G. Walker, United States Attorney, Jennifer P. May-Parker, G. Norman Acker, III, Assistant United States Attorneys, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Anton Johnson, a District of Columbia ("D.C.") Code offender in the custody of the Federal Bureau of Prisons ("BOP"), appeals the district court's order committing him as a sexually dangerous person under the Adam Walsh Child Protection and Safety Act of 2006 ("the Walsh Act"), 18 U.S.C. § 4248 (2006). Johnson argues that the Walsh Act, as applied to D.C. Code offenders in the custody of the BOP, violates the Equal Protection Clause. We conclude that the application of the Walsh Act to Johnson did not violate his equal protection rights. See United States v. Wooden, 693 F.3d 440 (4th Cir. 2012) (rejecting equal protection claim regarding application of Walsh Act to D.C. Code offender); United States v. Timms, 664 F.3d 436 (4th Cir. 2012) (rejecting equal protection claim regarding application of Walsh Act to individuals in BOP custody, but not to individuals who were not in custody); see generally Moss v. Clark, 886 F.2d 686 (4th Cir. 1989) (finding rational basis and, hence, no equal protection violation where D.C. prisoners in federal prisons did not accumulate good time credits at same rate for time served in federal prison as they would have received if they had served sentences in D.C. facility). 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 this court and argument would not aid the decisional process.

AFFIRMED