UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-4715

UNITED STATES OF AMERICA,

Plaintiff – Appellee,

v.

QUINTON ANTONIO WALL,

Defendant - Appellant.

Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. William L. Osteen, Jr., Chief District Judge. (1:12-cr-00452-WO-1)

Submitted: April 28, 2014 Decided: May 7, 2014

Before GREGORY and DIAZ, Circuit Judges, and DAVIS, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Michael E. Archenbronn, Winston-Salem, North Carolina, for Appellant. Clifton Thomas Barrett, Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Quentin Antonio Wall appeals the ninety-eight-month sentence imposed by the district curt following his guilty plea to distribution of cocaine base, in violation of 21 U.S.C. § 841(a)(1) (2012). Wall's counsel has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), concluding there are no meritorious grounds for appeal but questioning the procedural reasonableness of Wall's sentence. Wall was notified of his right to file a supplemental pro se brief but has not done so. Following careful review of the record, we affirm.

Wall asserts that the district court did not adequately address his mitigating sentencing arguments, including that he normally dealt in powder cocaine and that the court placed undue weight on his criminal history. The record belies Wall's claim. In sentencing Wall, the district court followed all necessary procedural steps, properly calculating the Guidelines range, considering the 18 U.S.C. § 3553(a) (2012) factors and the parties' arguments, and providing an individualized assessment based on the facts presented. See Gall v. United States, 552 U.S. 38, 51 (2007). Wall's below-Guidelines sentence is presumed substantively reasonable on appeal, and he has not met his burden to rebut this presumption. United States v. Susi, 674 F.3d 278, 289 (4th Cir. 2012); United States v. Montes-Pineda, 445 F.3d 375, 379 (4th

Cir. 2006). Thus, we conclude the district court did not abuse its discretion in sentencing Wall. See Gall, 552 U.S. at 51.

In accordance with Anders, we have reviewed the record and have found no meritorious grounds for appeal. We therefore affirm the district court's judgment. This court requires that counsel inform Wall, in writing, of the right to petition the Supreme Court of the United States for further review. If Wall 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 Wall.

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