

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 14-6317**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

GILBERTO HERNANDEZ-CHAVEZ,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of North Carolina, at New Bern. Louise W. Flanagan, District Judge. (5:08-cr-00283-FL-2)

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Submitted: April 17, 2014

Decided: April 22, 2014

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Before WILKINSON, KING, and DUNCAN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Gilberto Hernandez-Chavez, Appellant Pro Se. Felice McConnell Corpening, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In 2008 and 2009, Gilberto Hernandez-Chavez was convicted of drug and firearm offenses and sentenced to a total of 120 months' imprisonment. He did not appeal. Years later, he moved in the district court to dismiss the indictment underlying these convictions for lack of jurisdiction. The district court summarily denied the motion, and Hernandez-Chavez appeals. Upon review, we affirm this decision 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