

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-4015

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DARRIN MARCUS DAVIS,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Florence. Terry L. Wooten, Chief District Judge. (4:08-cr-00869-TLW-1)

Submitted: June 30, 2015

Decided: July 30, 2015

Before NIEMEYER, KING, and AGEE, Circuit Judges.

Affirmed by unpublished per curiam opinion.

William F. Nettles, IV, Mark C. McLawhorn, Assistant Federal Public Defenders, Florence, South Carolina, for Appellant. Alfred William Walker Bethea, Jr., Assistant United States Attorney, Florence, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Darrin Marcus Davis appeals the district court's order revoking his supervised release and sentencing him to six months' imprisonment and two years of supervised release. Davis' counsel has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), stating that there are no meritorious grounds for appeal but questioning whether the district court erred by filing an amended judgment containing an additional condition of Davis' supervised release. Davis was advised of his right to file a pro se supplemental brief, but he has not filed one. We affirm.

In pronouncing sentence, the district court ordered that Davis be subject to electronic monitoring as a condition of his supervised release. However, the written judgment that followed did not include this condition. The district court sua sponte entered an amended judgment that conformed to its oral pronouncement requiring electronic monitoring. We conclude that the omission in the initial written judgment was a clerical error and that the district court did not err by correcting it sua sponte. See Fed. R. Crim. P. 36.

In accordance with Anders, we have reviewed the entire record in this case and have found no meritorious grounds for appeal. We therefore affirm the district court's amended revocation judgment. This court requires that counsel inform

Davis, in writing, of the right to petition the Supreme Court of the United States for further review. If Davis 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 Davis.

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