

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-4509

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JORDAN ALLEN GUY,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Wilmington. James C. Dever, III, Chief District Judge. (7:14-cr-00081-D-1)

Submitted: August 25, 2016

Decided: August 29, 2016

Before NIEMEYER, DIAZ, and FLOYD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Thomas P. McNamara, Federal Public Defender, Stephen C. Gordon, Assistant Federal Public Defender, Raleigh, North Carolina, for Appellant. John Stuart Bruce, Acting United States Attorney, Jennifer P. May-Parker, Kristine L. Fritz, Assistant United States Attorneys, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jordan Allen Guy pled guilty to possession with intent to distribute marijuana, in violation of 21 U.S.C. § 841(a)(1), (b)(1) (2012) (Count 1), possession of a firearm in furtherance of a drug trafficking offense, in violation of 18 U.S.C. § 924(c) (2012) (Count 2), and possession of a firearm by a convicted felon, in violation of 18 U.S.C. § 924(a)(2) (2012) (Count 3). The district court sentenced him to concurrent 18-month prison terms on Counts 1 and 3 and a consecutive 60 months on Count 2, for a total within-Guidelines sentence of 78 months in prison. Guy argues that this sentence is substantively unreasonable.

We review for reasonableness a sentence imposed by a district court. Gall v. United States, 552 U.S. 38, 46 (2007). "Any sentence that is within or below a properly calculated Guidelines range is presumptively reasonable," and this "presumption can only be rebutted by showing that the sentence is unreasonable when measured against the 18 U.S.C. § 3553(a) [(2012)] factors." United States v. Louthian, 756 F.3d 295, 306 (4th Cir.), 135 S. Ct. 421 (2014). We have reviewed the record on appeal and Guy's arguments and conclude that Guy has failed to rebut this presumption.

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