

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-4087

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

SAMUEL HENRY VINCI, JR.,

Defendant - Appellant.

Appeal from the United States District Court for the Western
District of North Carolina, at Statesville. Richard L.
Voorhees, District Judge. (5:15-cr-00041-RLV-DCK-1)

Submitted: September 29, 2016

Decided: October 3, 2016

Before SHEDD, KEENAN, and HARRIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Leslie Carter Rawls, Charlotte, North Carolina, for Appellant.
Amy Elizabeth Ray, Assistant United States Attorney, Asheville,
North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Samuel Henry Vinci, Jr., pled guilty, pursuant to a written plea agreement, to enticement of a minor to engage in sexual activity, in violation of 18 U.S.C. § 2422(b) (2012). The district court sentenced Vinci to 235 months' imprisonment, a sentence at the bottom of the applicable Sentencing Guidelines range. Counsel has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), stating that there are no meritorious grounds for appeal. Although notified of his right to do so, Vinci has not filed a pro se brief.

In accordance with Anders, we have reviewed the entire record in this case and have found no meritorious issues for appeal. Before accepting Vinci's guilty plea, the district court conducted a thorough plea colloquy, satisfying the requirements of Fed. R. Crim. P. 11 and ensuring that Vinci's plea was knowing, voluntary, and supported by an independent factual basis. See United States v. DeFusco, 949 F.2d 114, 116 (4th Cir. 1991). We discern no procedural error in the sentencing process, see Gall v. United States, 552 U.S. 38, 51 (2007), and Vinci does not rebut our appellate presumption that his within-Guidelines sentence is substantively reasonable, see United States v. Louthian, 756 F.3d 295, 306 (4th Cir. 2014).

We therefore affirm Vinci's conviction and sentence. This court requires that counsel inform Vinci, in writing, of the

right to petition the Supreme Court of the United States for further review. If Vinci 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 Vinci. 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