

UNPUBLISHED

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

No. 96-4821

JEFFREY T. MILLER,
Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Virginia, at Richmond.
Richard L. Williams, Senior District Judge.
(CR-96-70)

Submitted: June 19, 1997

Decided: July 3, 1997

Before WILKINS and MICHAEL, Circuit Judges, and BUTZNER,
Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

COUNSEL

JeRoyd W. Greene, III, ROBINSON & GREENE, Richmond, Vir-
ginia, for Appellant. Helen F. Fahey, United States Attorney, S.
David
Schiller, Assistant United States Attorney, Richmond, Virginia, for
Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

OPINION

PER CURIAM:

Jeffrey T. Miller appeals the sentence imposed after his guilty plea to three counts of possession of counterfeit federal reserve notes in violation of 18 U.S.C. § 472 (1994); three counts of distribution of counterfeit federal reserve notes and aiding and abetting, in violation of 18 U.S.C. §§ 473, 2 (1994); and assaulting a federal agent, in violation of 18 U.S.C. § 111 (1994). We have reviewed the record, including the presentence report and the transcript of the sentencing hearing, and find that the district court did not clearly err in assessing a two-level enhancement for obstruction of justice under United States Sentencing Commission, Guidelines Manual, § 3C1.1. (Nov. 1995).

During the preparation of Miller's presentence report and following the district court's acceptance of Miller's guilty plea, Miller maintained that he was innocent and denied all the facts supporting his conviction, as he had done in an earlier suppression hearing. Further, during sentencing, Miller went to great lengths to minimize his involvement in the offense. We find that the district court properly characterized Miller's actions as "willfully obstruct[ing] or imped[ing] the administration of justice during the sentence phase." Such behavior provided sufficient support for the sentencing enhancement.

Finding no reversible error, we affirm Miller's sentence. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED

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