

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 96-4911**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

VICTOR JOSEPH SANGUEDOLCE,

Defendant - Appellant.

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Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Richard L. Voorhees, Chief District Judge. (CR-94-144-V)

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Submitted: August 5, 1997

Decided: August 27, 1997

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Before NIEMEYER and HAMILTON, Circuit Judges, and PHILLIPS, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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James Gronquist, Charlotte, North Carolina, for Appellant. Mark T. Calloway, United States Attorney, David C. Keesler, Assistant United States Attorney, Charlotte, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Victor Joseph Sanguedolce, Jr., appeals from the district court judgment revoking his term of supervised release and sentencing him to twenty-four months of imprisonment. We affirm.

Sanguedolce was charged with seven separate violations of the terms of his supervised release. Following a revocation hearing the district court found sufficient evidence to demonstrate commission of all alleged violations save an allegation that Sanguedolce had failed to pay a fifty dollar special assessment. Sanguedolce argues on appeal that there was insufficient evidence to support the district court's findings.

Notwithstanding Sanguedolce's contentions, we note that Sanguedolce himself admitted to violating his supervised release by using both marijuana and cocaine. The evidence presented before the district court also revealed that Sanguedolce tested positive for cocaine use on three separate occasions. We find that this evidence alone is not only sufficient to justify revocation of Sanguedolce's supervised release, but compels it. See 18 U.S.C. § 3583(e), (g) (1994); United States v. Clark, 30 F.3d 23, 25 (4th Cir. 1994). Accordingly, we affirm the district court's judgment. 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