

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 98-4501**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

MUSTAFA A. CUNNINGHAM,

Defendant - Appellant.

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Appeal from the United States District Court for the District of South Carolina, at Charleston. Solomon Blatt, Jr., Senior District Judge. (CR-96-733)

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Submitted: May 11, 1999

Decided: May 21, 1999

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Before LUTTIG, TRAXLER, and KING, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Parks N. Small, Federal Public Defender, Columbia, South Carolina, for Appellant. Robert Hayden Bickerton, Assistant United States Attorney, Charleston, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Mustafa Cunningham pled guilty to conspiracy to possess with the intent to distribute and to distribute marijuana, 21 U.S.C.A. § 846 (West Supp. 1998). The district court imposed a thirty-month sentence. Cunningham's attorney has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967). Counsel states that there are no meritorious grounds for appeal but raises the following issue: whether the district court erred in refusing to enforce a state court order that Cunningham serve any concurrent federal sentence in a federal correctional institution. Although informed of his right to file a supplemental brief, Cunningham has failed to so file. Because our review of the record reveals no reversible error, we affirm.

We have examined the entire record in this case in accordance with the requirements of Anders, and find no meritorious issues for appeal. This Court requires that counsel inform his client, in writing, of his right to petition the Supreme Court of the United States for further review. If the client 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 the client. 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