

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-4122

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

LEO MOORE,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. James R. Spencer, District Judge. (CR-98-127)

Submitted: August 10, 1999

Decided: September 2, 1999

Before LUTTIG, WILLIAMS, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Craig S. Cooley, Richmond, Virginia, for Appellant. Helen F. Fahey, United States Attorney, Shannon L. Taylor, Special Assistant United States Attorney, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Leo Moore appeals his conviction and sentence imposed for possession of cocaine base in violation of 21 U.S.C. § 844 (1994). We affirm. The district court did not err in denying Moore's motion to suppress. See United States v. Sokolow, 490 U.S. 1, 7 (1989); United States v. Leshuk, 65 F.3d 1105, 1109-10 (4th Cir. 1995). We also find, when viewed in the light most favorable to the Government, the evidence was sufficient to support Moore's conviction. See Glasser v. United States, 315 U.S. 60, 80 (1942). Likewise, the court did not clearly err in its determination of the amount of drugs attributable to Moore for sentencing purposes and thus properly determined Moore's base offense level. See United States v. D'Anjou, 16 F.3d 604, 614 (4th Cir. 1994); U.S. Sentencing Guidelines Manual § 2D2.1(b)(1) (1998). We therefore affirm Moore's conviction and 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