

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-4887**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ROBERT MEYST,

Defendant - Appellant.

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Appeal from the United States District Court for the Western  
District of North Carolina, at Statesville. Richard L. Voorhees,  
District Judge. (CR-99-20)

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Submitted: August 10, 2001

Decided: September 25, 2001

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Before LUTTIG, WILLIAMS, and MOTZ, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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G. Alan DuBois, Assistant Federal Public Defender, Raleigh, North  
Carolina, for Appellant. Robert J. Higdon, Jr., OFFICE OF THE  
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Unpublished opinions are not binding precedent in this circuit.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:

Robert A. Meyst pled guilty to one count of conspiracy to possess with intent to distribute cocaine and cocaine base in violation of 21 U.S.C. § 846 (1994) and one count of money laundering in violation of 19 U.S.C. § 1956(h) (1994). On appeal, Meyst argues that the rule announced in Apprendi v. New Jersey, 530 U.S. 466 (2000), renders 21 U.S.C.A. § 841 (West 1999 & Supp. 2001) unconstitutional on its face. We reject this argument and affirm his convictions and sentence. See United States v. Cernobyl, \_\_\_ F.3d \_\_\_, 2001 WL 733406, \*\*3-4 (10th Cir. June 29, 2001); United States v. Martinez, 253 F.3d 251, 256 n.6 (6th Cir. 2001); United States v. Brough, 243 F.3d 1078, 1079-80 (7th Cir. 2001); United States v. Slaughter, 238 F.3d 580, 581 (5th Cir. 2000), cert. denied, \_\_\_ U.S. \_\_\_, 69 U.S.L.W. 3739 (U.S. May 21, 2001) (No. 00-9519). See also United States v. Promise, 255 F.3d 150, 156-57 (4th Cir. 2001) (en banc). 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