

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 02-4083**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DANIEL WAYNE CADE,

Defendant - Appellant.

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Appeal from the United States District Court for the Southern District of West Virginia, at Parkersburg. Joseph Robert Goodwin, District Judge. (CR-01-200)

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Submitted: July 23, 2002

Decided: August 8, 2002

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Before WIDENER, WILLIAMS, and MOTZ, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Patricia A. Kurelac, Moundsville, West Virginia, for Appellant.  
Kasey Warner, United States Attorney, Miller A. Bushong, III,  
Assistant United States Attorney, Huntington, West Virginia, for  
Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Daniel Wayne Cade pled guilty to one count of distribution of methamphetamine, in violation of 21 U.S.C. § 841(a)(1) (2000), and one count of being a felon in possession of a firearm, in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2) (2000). Cade's attorney filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967), stating there are no meritorious issues for appeal. Cade has filed a pro se supplemental brief raising the following claims: (1) the search pursuant to a warrant violated his right to due process; (2) the prosecutor acted vindictively in prosecuting the case; and (3) counsel was ineffective for failing to consider an appeal. Finding no reversible error, we affirm.

In accordance with Anders, we have reviewed the entire record and have found no meritorious issues for appeal. We have considered Cade's issues raised in the supplemental brief and find them without merit. We therefore affirm Cade's convictions and sentence. We require that counsel inform her 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 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