

UNPUBLISHED

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

UNITED STATES OF AMERICA, <i>Plaintiff-Appellee,</i>
v.
BRYANT ONEIL THOMPSON, <i>Defendant-Appellant.</i>

No. 02-4449

Appeal from the United States District Court  
for the District of South Carolina, at Spartanburg.  
G. Ross Anderson, Jr., District Judge.  
(CR-01-669)

Submitted: January 21, 2003

Decided: February 6, 2003

Before NIEMEYER, MOTZ, and TRAXLER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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**COUNSEL**

David W. Plowden, Assistant Federal Public Defender, Greenville, South Carolina, for Appellant. Elizabeth Jean Howard, OFFICE OF THE UNITED STATES ATTORNEY, Greenville, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

**OPINION**

## PER CURIAM:

Bryant Thompson appeals the district court's order sentencing him to 171 months imprisonment following his guilty pleas to car-jacking, possession of a firearm by a felon, and use of a firearm in the facilitation of a violent felony, in violation of 18 U.S.C. §§ 922(g), 924(c), 2119 (2000). In his appeal, filed pursuant to *Anders v. California*, 386 U.S. 738 (1967), counsel for Thompson raises two claims: (1) Thompson's plea was unknowing and involuntary; and (2) the district court erred in sentencing Thompson to 171 months imprisonment. Thompson has been advised of his right to file a pro se supplemental brief, but has not done so. Neither of the claims presented by counsel were preserved before the district court. Accordingly, they are reviewed for plain error. *United States v. Ford*, 88 F.3d 1350, 1355 (4th Cir. 1996).

Thompson first assigns error to the district court's acceptance of his guilty pleas. We have reviewed the transcript of the hearing conducted before the district court and are satisfied that Thompson was afforded the protections of Fed. R. Crim. P. 11, and the Due Process Clause. Accordingly, this claim merits no relief.

Thompson next claims that the district court erred in calculating his sentence. We have likewise reviewed the district court's application of the sentencing guidelines and find no error. Thompson's sentence was the maximum in the applicable guidelines range, and there was no error in the determination of the range. Moreover, the sentence did not exceed the maximum applicable under the relevant statutes. Accordingly, we deny relief on this claim as well.

Finding no meritorious issues upon our review of the record pursuant to *Anders*, we affirm the judgment of the district court. 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

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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*