

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-4586

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

RANDOLPH ALBERT HENDERSON,

Defendant - Appellant.

Appeal from the United States District Court for the Middle District of North Carolina, at Durham. William L. Osteen, District Judge. (CR-02-30)

Submitted: January 9, 2003

Decided: January 21, 2003

Before WILLIAMS, MOTZ, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Thomas N. Cochran, Assistant Federal Public Defender, Greensboro, North Carolina, for Appellant. Anna Mills Wagoner, United States Attorney, Robert M. Hamilton, Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Randolph Albert Henderson appeals the district court's judgment order sentencing him to 169 months imprisonment and three years of supervised release for violations of 18 U.S.C. § 1951 (2000) and 18 U.S.C. § 924(c)(1)(A) (2000). We have reviewed the record and find this appeal foreclosed by our decision in United States v. Bayerle, 898 F.2d 28 (4th Cir. 1990). Accordingly, the judgment of the district court is affirmed. 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