

UNPUBLISHED

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

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

GEOFFREY STUBBS,
Defendant-Appellant.

No. 02-4641

Appeal from the United States District Court
for the District of South Carolina, at Greenville.
Margaret B. Seymour, District Judge.
(CR-01-1073)

Submitted: January 31, 2003

Decided: February 21, 2003

Before KING and SHEDD, Circuit Judges, and
HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

COUNSEL

Benjamin T. Stepp, Assistant Federal Public Defender, Greenville,
South Carolina, for Appellant. Regan Alexandra Pendleton, Assistant
United States Attorney, Greenville, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Geoffrey Stubbs appeals his conviction and 120-month sentence pursuant to his guilty plea to possession with intent to distribute cocaine, in violation of 18 U.S.C. §§ 2, 841(a)(1), and possession of a firearm during a drug trafficking offense, in violation of 18 U.S.C. § 924(c)(1)(A). Stubbs's counsel has filed a brief on appeal pursuant to *Anders v. California*, 386 U.S. 738 (1967), and Stubbs has filed a pro se supplemental brief.

First, Stubbs claims that the district court failed to comply with Fed. R. Crim. P. 11 in accepting Stubbs's guilty plea. The record clearly indicates that the district court did comply with Rule 11, and therefore this claim is without merit.

Second, Stubbs contends that the district court erred in calculating his sentence. In fact, the sentence was within the correct guideline range and below the statutory maximum, and therefore this court has no authority to review the district court's imposition of sentence. *United States v. Porter*, 909 F.2d 789, 794 (4th Cir. 1990).

In addition, we have reviewed the claims Stubbs raises in his supplemental brief and find them to be meritless. We therefore affirm Stubbs's conviction and sentence. In accordance with *Anders*, we have reviewed the entire record in this case and have found no meritorious issues for appeal. 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 argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.