

Vacated by Supreme Court, May 31, 2005  
Certiorari granted, July 1, 2005

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-4889**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DARIAN TERRENCE HARRIS, a/k/a Darion Harris,  
a/k/a Damien Russell, a/k/a Damion Russell,  
a/k/a Darren Jackson, a/k/a Russell Damior,  
a/k/a Michael Jones,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern  
District of North Carolina, at Raleigh. W. Earl Britt, Senior  
District Judge. (CR-03-152-BR)

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Submitted: August 27, 2004

Decided: September 21, 2004

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

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Affirmed by unpublished per curiam opinion.

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Thomas P. McNamara, Federal Public Defender, G. Alan DuBois,  
Assistant Federal Public Defender, Raleigh, North Carolina, for  
Appellant. Frank D. Whitney, United States Attorney, Christine  
Witcover Dean, Winnie Jordan Reaves, Assistant United States  
Attorneys, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Darian Terrence Harris was convicted by a jury for possession of a firearm by a convicted felon, in violation of 18 U.S.C. §§ 922(g)(1), 924 (2000). He received a 96-month sentence. On appeal, he challenges his conviction, arguing that the district court erred in not allowing him to pursue testimony from Magistrate Clifton Brummitt that would impeach the testimony of Deputy Wade Woody, a Government witness. This Court reviews a district court's evidentiary rulings for abuse of discretion. United States v. Leftenant, 341 F.3d 338, 342 (4th Cir. 2003), cert. denied, 124 S. Ct. 1183 (2004). Having reviewed the material submitted in the joint appendix, particularly the trial transcript, in light of Harris' argument, we find no abuse of discretion.

Accordingly, we affirm Harris' conviction. 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