

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-5199

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

WILLIAM AVERTA RORIE,

Defendant - Appellant.

Appeal from the United States District Court for the District of
South Carolina, at Florence. Terry L. Wooten, District Judge.
(4:05-cr-00472-TLW)

Submitted: January 17, 2008

Decided: January 22, 2008

Before TRAXLER, SHEDD, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

D. Craig Brown, Florence, South Carolina, for Appellant. Arthur
Bradley Parham, OFFICE OF THE UNITED STATES ATTORNEY, Florence,
South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

William Averta Rorie pled guilty to conspiracy to distribute more than five grams of cocaine base (crack), 21 U.S.C. § 846 (2000), and using and carrying a firearm in furtherance of a drug trafficking crime, 18 U.S.C.A. § 924(c) (West Supp. 2007). He received a sentence of 292 months imprisonment for the drug offense and a sixty-month consecutive term for the firearm conviction. Rorie's attorney has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), raising two issues but stating that, in his view, there are no meritorious issues for appeal. Rorie has been informed of his right to file a pro se supplemental brief, but has not filed a brief. We affirm.

On appeal, counsel suggests that the district court clearly erred in finding that Rorie had an aggravated role in the drug conspiracy and erred in making only a two-level adjustment for acceptance of responsibility. U.S. Sentencing Guidelines Manual §§ 3B1.1(c), 3E1.1 (2004). Our review of the record discloses that the district court did not clearly err in determining Rorie's role, and did not err in refusing him a three-level adjustment in the absence of the required government motion. See USSG § 3E1.1(b).

Pursuant to Anders, we have examined the entire record and find no meritorious issues for appeal. Accordingly, we affirm the district court's judgment. 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 such 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.

AFFIRMED