

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 97-4401**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

WILLIAM LUTHER YOUNG, JR.,

Defendant - Appellant.

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Appeal from the United States District Court for the District of Maryland, at Greenbelt. Deborah K. Chasanow, District Judge. (CR-96-393-DKC)

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Submitted: October 31, 1997

Decided: December 3, 1997

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Before ERVIN and WILKINS, Circuit Judges, and PHILLIPS, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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James K. Bredar, Federal Public Defender, Beth M. Faber, Chief Assistant Federal Defender, Baltimore, Maryland, for Appellant. Lynne A. Battaglia, United States Attorney, Deborah A. Johnston, Assistant United States Attorney, Greenbelt, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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



PER CURIAM:

William Luther Young, Jr. appeals his conviction and sentence for interstate travel with intent to engage in a sex act with minor in violation of 18 U.S.C. § 2423(b) (1994). Appellant contends that the statute: (1) exceeds Congress's authority under the Commerce Clause; (2) is unconstitutionally vague; (3) impinges upon constitutionally protected behavior; and (4) does not require the necessary overt act.

Appellant, who was residing in Pennsylvania, established contact through the Internet with a 12-year old Maryland girl. He traveled to Maryland to meet her, at which time he had sexual contact with her. He traveled again to Maryland to meet her and was arrested. The Appellant moved to dismiss the indictment, raising the same issues raised in the instant appeal. The district court denied the motion. The Appellant then pled guilty and was sentenced to 12 months' imprisonment and three years of supervised release.

We affirm Appellant's conviction and sentence on the reasoning of the district court as expressed in its comprehensive memorandum opinion denying Appellant's motion to dismiss the indictment. United States v. Young, No. 96-CR-393 (D. Md. Feb. 18, 1997). 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