

UNPUBLISHED

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee.

v.

No. 98-4830

TAMARA LLAMAS, a/k/a Tamara
Deyton, a/k/a Tamara Mullins, a/k/a
Tamara Smith, a/k/a Tammy,
Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of North Carolina, at Wilmington.
Malcolm J. Howard, District Judge.
(CR-97-63-H)

Submitted: July 20, 1999

Decided: August 5, 1999

Before ERVIN, WILLIAMS, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

COUNSEL

Robert J. McAfee, MCCOTTER, MCAFEE & ASHTON, P.L.L.C.,
New Bern, North Carolina, for Appellant. Janice McKenzie Cole,
United States Attorney, Anne M. Hayes, Assistant United States
Attorney, J. Frank Bradsher, Assistant United States Attorney,
Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Tamara Llamas appeals from the district court's judgment entered pursuant to a plea agreement in which Llamas pled guilty to conspiracy to distribute and to possess with intent to distribute marijuana in violation of 21 U.S.C.A. § 846 (West Supp. 1999); interstate travel with intent to commit murder for hire in violation of 18 U.S.C.A. § 1958(a) (West Supp. 1999) and 18 U.S.C. § 2 (1994); using and carrying a firearm causing death, in violation of 18 U.S.C.A. § 924(j) (West Supp. 1999) and 18 U.S.C. § 2; tampering with a witness or informant by killing in violation of 18 U.S.C.A. § 1512(a)(1)(C) (West Supp. 1999) and 18 U.S.C. § 2. Llamas later moved to withdraw her guilty plea. The district court denied the motion. Llamas was sentenced to four terms of life imprisonment. The only issue in this appeal is the propriety of the court's denial of Llamas' motion to withdraw her guilty plea.

We review the denial of Llamas' motion for abuse of discretion. See United States v. Craig, 985 F.2d 175, 178 (4th Cir. 1993). A defendant does not have an absolute right to withdraw a guilty plea, see United States v. Ewing, 957 F.2d 115, 119 (4th Cir. 1992), but must present a "fair and just" reason. See Fed. R. Crim. P. 32(e); United States v. Lambey, 974 F.2d 1389, 1394 (4th Cir. 1992). We find that the district court did not abuse its discretion in denying Llamas' motion to withdraw her guilty plea. See United States v. Moore, 931 F.2d 245, 248 (4th Cir. 1991); United States v. Truglio, 493 F.2d 574, 578 (4th Cir. 1974). Accordingly, we affirm Llamas' convictions and sentences. 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