

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-4030

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

SCOTTIE BROWN,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of Virginia, at Charlottesville. James H. Michael, Jr., Senior District Judge. (CR-94-28)

Submitted: July 13, 1999

Decided: July 21, 1999

Before HAMILTON, WILLIAMS, and MICHAEL, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Margaret McLeod Cain, MARGARET MCLEOD CAIN, P.C., Charlottesville, Virginia, for Appellant. Robert P. Crouch, Jr., United States Attorney, Jean B. Hudson, Assistant United States Attorney, Charlottesville, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant Scottie Brown appeals from his sentence imposed after he admitted to violating several conditions of his supervised release. The district court considered the availability of substance abuse treatment programs as an alternative to incarceration and did not abuse its discretion in imposing a term of incarceration. See 18 U.S.C.A. § 3583(d) (West 1994 & Supp. 1999); U.S. Sentencing Guidelines Manual § 7B1.4, comment. (n.6). Likewise, the court did not plainly err in sentencing Brown to twenty-one months' imprisonment. See 18 U.S.C.A. § 3583(e)(3); United States v. Perkins, 108 F.3d 512, 516 (4th Cir. 1997); United States v. Davis, 53 F.3d 638, 640-42 (4th Cir. 1995). We therefore affirm Brown's sentence. We dispense with oral argument because the facts and legal contentions are adequately set forth in the materials before the court and argument would not aid the decisional process.

AFFIRMED