

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-4425

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ARANDER MATTHEW HUGHES, JR., a/k/a Randy Hughes,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Asheville. Lacy H. Thornburg, District Judge. (CR-98-155)

Submitted: November 30, 2000

Decided: January 8, 2001

Before WIDENER, NIEMEYER, and WILLIAMS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Sean P. Devereux, SEAN P. DEVEREUX, P.A., Asheville, North Carolina, for Appellant. Mark T. Calloway, United States Attorney, Brian Lee Whisler, Assistant United States Attorney, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Arander Matthew Hughes, Jr., was convicted of three counts of robbery in violation of the Hobbs Act, 18 U.S.C. § 1951(1994), two counts of bank robbery, five counts of use and carry of a firearm, 18 U.S.C. § 924(c)(1) (1994), and two counts of carrying an unregistered short-barreled shotgun, 26 U.S.C. § 5861(d) (1994). He was sentenced to a total of 1120 months imprisonment. We affirm.

On appeal, Hughes argues that: (1)the district court plainly erred in admitting prior consistent statements of government witnesses; there is insufficient evidence to support his convictions for unlawful possession of a sawed-off shotgun; and (3) there is insufficient evidence to support the Hobbs Act convictions in the absence of the jurisdictional element of an interstate commerce nexus. We have reviewed the briefs submitted by the parties, and the material presented in the joint appendix, and find no reversible error.

Accordingly, we affirm Hughes' convictions and sentences. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and oral argument would not aid the decisional process.

AFFIRMED