

**PUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 19-4137**

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UNITED STATES OF AMERICA,

Plaintiff – Appellee,

v.

ALLEN H. LOUGHRY, II,

Defendant – Appellant.

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Appeal from the United States District Court for the Southern District of West Virginia, at Charleston. John T. Copenhaver, Jr., Senior District Judge. (2:18-cr-00134-1)

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Argued: May 3, 2021

Decided: May 20, 2021

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Before GREGORY, Chief Judge, WILKINSON, NIEMEYER, MOTZ, AGEE, KEENAN, WYNN, DIAZ, FLOYD, HARRIS, RICHARDSON, and QUATTLEBAUM, Circuit Judges.\*

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Affirmed by published per curiam opinion.

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**ARGUED:** Elbert Lin, HUNTON ANDREWS KURTH LLP, Richmond, Virginia, for Appellant. Richard Gregory McVey, OFFICE OF THE UNITED STATES ATTORNEY, Huntington, West Virginia, for Appellee. **ON BRIEF:** Nicholas D. Stellakis, Boston,

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\* Judge King, Judge Thacker, and Judge Rushing took no part in the consideration or decision of this case.

Massachusetts, Katy Boatman, HUNTON ANDREWS KURTH LLP, Houston, Texas, for Appellant. Michael B. Stuart, United States Attorney, Philip H. Wright, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Charleston, West Virginia, for Appellee.

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PER CURIAM:

The judgment of the district court is affirmed by an equally divided court.

*AFFIRMED*