UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-4405

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DERRAN MAURICE MCCLAIN, JR.,

Defendant - Appellant.

No. 25-4422

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DERRAN MAURICE MCCLAIN, JR., a/k/a Lil Ran, a/k/a OG Paid,

Defendant - Appellant.

Appeals from the United States District Court for the Middle District of North Carolina, at Greensboro. William L. Osteen, Jr., District Judge. (1:24-cr-00329-WO-1; 1:21-cr-00258-WO-1)

Submitted: August 20, 2026 Decided: August 24, 2026

Before AGEE and RUSHING, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

ON BRIEF: Brian M. Aus, BRIAN AUS, ATTORNEY AT LAW, Timberlake, North Carolina, for Appellant. Julie Carol Niemeier, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Derran Maurice McClain, Jr., appeals his conviction and the 60-month sentence imposed following his guilty plea to possessing a firearm as a convicted felon, in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(8) (No. 25-4405), and the district court's order revoking his supervised release and imposing a 21-month revocation sentence (No. 25-4422). On appeal, McClain's counsel has filed a brief pursuant to *Anders v. California*, 386 U.S. 738 (1967), asserting that there are no meritorious issues for appeal but questioning whether the district court erred when calculating McClain's advisory Sentencing Guidelines range and whether the court erred by finding McClain committed a Grade A violation of the conditions of his supervised release. We affirm.

We review criminal sentences for reasonableness "under a deferential abuse-of-discretion standard." *United States v. Claybrooks*, 90 F.4th 248, 257 (4th Cir. 2024) (internal quotation marks omitted). In reviewing whether a sentence is reasonable, we must first ensure the district court did not commit "significant procedural error, such as failing to calculate (or improperly calculating) the Guidelines range." *United States v. Fowler*, 948 F.3d 663, 668 (4th Cir. 2020) (internal quotation marks omitted). When considering a Guidelines challenge, "we review the district court's factual findings for clear error and its legal conclusions de novo." *United States v. Gross*, 90 F.4th 715, 720 (4th Cir. 2024) (internal quotation marks omitted).

Anders counsel first questions whether the district court erred by applying a two-level enhancement for obstruction of justice under U.S. Sentencing Guidelines Manual § 3C1.1 (2024). That enhancement applies "when, *inter alia*, a convicted defendant

threatens, intimidates, or otherwise unlawfully influences a co-defendant . . . directly or indirectly, or attempts to do so," and does so "in circumstances in which there is some likelihood that the codefendant . . . will learn of the threat" or influence. *United States v. Brooks*, 957 F.2d 1138, 1149-50 (4th Cir. 1992) (citation modified). Upon review, we discern no error in the district court's finding that McClain's attempt to direct his father to take responsibility for the firearms underlying the § 922(g) offense justified this enhancement. Nor do we discern any reversible error in the district court's finding that this was not an "extraordinary case[] in which adjustments" for both obstruction and acceptance of responsibility should apply. USSG § 3E1.1 cmt. n.4; *see also id.* cmt. n.5 (stating sentencing judge's findings regarding acceptance of responsibility are "entitled to great deference on review").

Anders counsel also questions whether the district court plainly erred by applying a two-level enhancement for possessing a stolen firearm under USSG § 2K2.1(b)(4)(A) because McClain was not charged with violating 18 U.S.C. § 922(j). But McClain admitted he possessed a stolen firearm, and, as long as it would not apply only to an offense involving stolen firearms or ammunition, § 2K2.1(b)(4)(A) applies if "any firearm was stolen." We therefore discern no error in the application of this enhancement.

As to revocation, we review a district court's revocation decision for abuse of discretion and its factual findings for clear error. *United States v. George*, 95 F.4th 200, 208 (4th Cir. 2024). Here, McClain admitted four violations of the conditions of his release, including that he had committed a new felony offense by possessing a firearm as a convicted felon. One of the firearms McClain admitted possessing was a semiautomatic

pistol fitted with an autosear, which is a machinegun within the meaning of 26 U.S.C. § 5845(a)(6), (b). Accordingly, we discern no error in the district court's finding that McClain committed a Grade A violation. *See* USSG § 7B1.1(a)(1) (defining Grade A violations).

In accordance with *Anders*, we have reviewed the entire record in this case and have found no meritorious grounds for appeal. We therefore affirm the district court's judgment. This court requires that counsel inform McClain, in writing, of the right to petition the Supreme Court of the United States for further review. If McClain requests that a petition be filed, but counsel believes that such a petition would be frivolous, then counsel may move in this court for leave to withdraw from representation. Counsel's motion must state that a copy thereof was served on McClain.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED