

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-5163

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DOUGLAS LAW, JR.,

Defendant - Appellant.

Appeal from the United States District Court for the Southern
District of West Virginia, at Beckley. David A. Faber, Chief
District Judge. (CR-05-90)

Submitted: May 31, 2006

Decided: June 9, 2006

Before MOTZ and WILLIAMS, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Mary Lou Newberger, Federal Public Defender, Jonathan D. Byrne,
Appellate Counsel, David R. Bungard, Assistant Federal Public
Defender, Charleston, West Virginia, for Appellant. Charles T.
Miller, United States Attorney, Miller A. Bushong, III, Assistant
United States Attorney, Beckley, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Douglas Law, Jr., appeals his eighty-four month sentence imposed following his guilty plea for possession of more than five grams of cocaine base, in violation of 21 U.S.C. § 844(a) (2000). Law challenges the reasonableness of his sentence, contending that it was longer than necessary because the sentencing court gave undue weight to his criminal history. We affirm.

Law's sentence was within the properly calculated advisory guideline range and was well within the statutory maximum set forth in 21 U.S.C. § 844(a). In sentencing Law, the district court considered Law's "significant" criminal history for a person of his age, in addition to other factors under 18 U.S.C.A. § 3553(a)(1), (a)(2) (West 2000 & Supp. 2005). Because the district court appropriately treated the guidelines as advisory, properly calculated and considered the guideline range, and weighed the relevant § 3553(a) factors, we cannot conclude that Law's sentence is unreasonable. See United States v. Green, 436 F.3d 449, 457 (4th Cir.), cert. denied, ___ U.S. ___, 2006 WL 1057741 (U.S. May 22, 2006) (No. 05-10474) (finding sentence imposed within properly calculated advisory guidelines range was presumptively reasonable); see also United States v. Johnson, 445 F.3d 339, 346 (4th Cir. 2006) (finding district court's "detailed inquiry into the various circumstances bearing upon [defendant's] sentence" satisfied obligation to consider § 3553(a) factors).

Accordingly, we affirm Law's sentence. 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