

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-5243

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

CERON MONTRELL REED,

Defendant - Appellant.

Appeal from the United States District Court for the Western
District of North Carolina, at Charlotte. Robert J. Conrad, Jr.,
Chief District Judge. (3:05-cr-00419-1)

Submitted: May 30, 2007

Decided: July 10, 2007

Before KING and GREGORY, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Cecilia Oseguera, FEDERAL DEFENDERS OF WESTERN NORTH CAROLINA,
INC., Charlotte, North Carolina, for Appellant. Kevin Zolot,
OFFICE OF THE UNITED STATES ATTORNEY, Charlotte, North Carolina,
for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Ceron Montrell Reed pled guilty to carjacking (Count 1), in violation of 18 U.S.C. § 2119 (2000); using or carrying a firearm during a crime of violence (Count 2), in violation of 18 U.S.C.A. § 924(c) (West 2000 & Supp. 2007); and possessing a firearm after being convicted of a felony (Count 3), in violation of 18 U.S.C. § 922(g)(1) (2000). The district court imposed a 262-month sentence consisting of a total of 142 months as a career offender on Counts 1 and 3 and a consecutive 120 months on Count 2. Reed's counsel has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), challenging Reed's sentence on Counts 1 and 3 but stating that, in his view, there are no meritorious issues for appeal. Reed was informed of his right to file a pro se supplemental brief but has not done so. We affirm.

Counsel questions whether the district court violated Reed's Sixth Amendment rights by classifying Reed as a career offender under U.S. Sentencing Guidelines Manual § 4B1.1 (2005), where the predicate convictions were not charged in the indictment or proved beyond a reasonable doubt. This argument is foreclosed by our decision in United States v. Collins, 412 F.3d 515, 521-23 (4th Cir. 2005).

In accordance with Anders, we have reviewed the entire record for any meritorious issues and have found none. Accordingly, we affirm Reed's convictions and sentence. This court

requires that counsel inform her client, in writing, of his right to petition the Supreme Court of the United States for further review. If the client 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 the client. 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