

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-4903

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ALDI RAMON CABAN,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Charleston. Patrick Michael Duffy, District Judge. (2:06-cr-01208-PMD-5)

Submitted: October 29, 2008

Decided: November 7, 2008

Before WILKINSON, MOTZ, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

David B. Betts, LAW OFFICES OF DAVID B. BETTS, Columbia, South Carolina, for Appellant. Alston Calhoun Badger, Jr., Assistant United States Attorney, Charleston, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Aldi Ramon Caban appeals his convictions and sentence. Caban was convicted following a jury trial of one count of conspiracy to manufacture, possess with intent to distribute, and distribution of a mixture or substance containing fifty grams or more of methamphetamine, one count of possessing a rifle with an overall length of less than twenty-six inches and having a barrel length of less than sixteen inches which was not registered to him, and one count of being a felon in possession of a firearm. Caban'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 suggesting that the court review the denial of Caban's motions to suppress. Caban has filed a pro se supplemental brief. The Government has declined to file a brief. Finding no meritorious issues, we affirm.

Counsel asserts on Caban's behalf that the district court erred in denying his motions to suppress statements and evidence of a firearm recovered from the glove compartment of the vehicle Caban was driving at the time of his arrest on an unrelated state charge. We have thoroughly reviewed the record and find no error in the district court's denial of Caban's motions to suppress. See United States v. Cain, 524 F.3d 477, 481 (4th Cir. 2008) (noting that review of factual findings in

denial of motion to suppress is for clear error, while legal conclusions are reviewed de novo). In addition, we have considered the issues raised by Caban in his pro se supplemental brief and find the arguments to be without merit.

In accordance with Anders, we have reviewed the entire record in this case and found no meritorious issues for appeal. We therefore affirm Caban's convictions and sentence. This court requires that counsel inform his 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. Finally, 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