

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-7237

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

SHAHBORN EMMANUEL,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Lacy H. Thornburg, District Judge. (3:97-cr-00288-LHT)

Submitted: February 21, 2008

Decided: February 25, 2008

Before MOTZ, and GREGORY, Circuit Judges, and WILKINS, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Shahborn Emmanuel, Appellant Pro Se. Gretchen C. F. Shappert, United States Attorney, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Shahborn Emmanuel appeals a district court order denying as frivolous his motion challenging the court's jurisdiction to impose sentence. After reviewing the record, we find the motion is without merit and frivolous. Accordingly, we dismiss the appeal. 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.

DISMISSED