

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-4405

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOVAN MARQUELL MCLAUGHLIN,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Robert J. Conrad, Jr., District Judge. (3:08-cr-00147-RJC-1)

Submitted: January 26, 2017

Decided: February 7, 2017

Before GREGORY, Chief Judge, and MOTZ and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Roderick G. Davis, LAW OFFICE OF RODERICK G. DAVIS, PLLC, Charlotte, North Carolina, for Appellant. Jill Westmoreland Rose, United States Attorney, Amy E. Ray, Assistant United States Attorney, Asheville, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jovan Marquell McLaughlin appeals the judgment revoking his supervised release and sentencing him to 12 months imprisonment. On appeal, McLaughlin alleges that the district court erred by denying his motion to continue his revocation hearing so that he could receive a competency hearing under 18 U.S.C. § 4241(a) (2012). For the reasons that follow, we affirm.

We review for abuse of discretion the district court's denial of a continuance. United States v. Williams, 445 F.3d 724, 738-39 (4th Cir. 2006). Whether reasonable cause exists to hold a hearing under § 4241(a) "is a question left to the sound discretion of the district court." United States v. Bernard, 708 F.3d 583, 592 (4th Cir. 2013). We find no reversible error by the district court in declining to continue McLaughlin's revocation hearing to permit McLaughlin's evaluation under § 4241. The district court perceived McLaughlin's behavior was a product of his defiance and adherence to Moorish Nationalist ideals, rather than any mental instability or inability to understand his revocation proceedings. This was well within the discretion of the district court. Bernard, 708 F.3d at 592; see United States v. James, 328 F.3d 953, 954 (7th Cir. 2003) (explaining that Moorish Nationals believe that they "need obey only those laws mentioned in an ancient treaty between the United States and Morocco").

Accordingly, we affirm, the district court's judgment. 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