

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 23-6581**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BRANDI MARTIN,

Defendant - Appellant.

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Appeal from the United States District Court for the Southern District of West Virginia, at Charleston. David A. Faber, Senior District Judge. (2:19-cr-00209-1)

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Submitted: October 31, 2023

Decided: November 3, 2023

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Before HARRIS and QUATTLEBAUM, Circuit Judges, and KEENAN, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Brandi Martin, Appellant Pro Se. Jennifer Rada Herral, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Charleston, West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Brandi Martin pled guilty to possession with intent to distribute five grams or more of methamphetamine. In August 2020, the district court sentenced Martin to 188 months' imprisonment. On direct appeal, we granted the Government's motion to dismiss based on the appellate waiver included in Martin's plea agreement. *See United States v. Martin*, No. 20-4455 (4th Cir. June 29, 2021) (unpublished order). In June 2023, Martin filed a second notice of appeal of the criminal judgment. Because we have previously dismissed an appeal from the same criminal judgment, we dismiss this appeal as duplicative.\* 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.

*DISMISSED*

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\* We do not express any view as to whether Martin may raise her arguments related to the alleged "purity disparity" between offenses involving "pure" methamphetamine and those involving a mixture of methamphetamine in a supplement to her motion for compassionate release, which remains pending in the district court.