

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-5113

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JON DALLAS HOLDEN, a/k/a Christopher Scott
Fulton,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Greenbelt. Deborah K. Chasanow, District Judge. (CR-98-47-DKC)

Submitted: October 27, 2006

Decided: November 15, 2006

Before MICHAEL, SHEDD, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

James Wyda, Federal Public Defender, Paula Xinis, Assistant Federal Public Defender, Sherri Keene, Staff Attorney, Greenbelt, Maryland, for Appellant. Rod J. Rosenstein, United States Attorney, Stuart A. Berman, Assistant United States Attorney, Greenbelt, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Jon Dallas Holden, a/k/a Christopher Scott Fulton, pled guilty to bank fraud, access device fraud, and structuring transactions to evade reporting requirements. He was sentenced to twenty-seven months of imprisonment to be followed by five years of supervised release on the bank fraud charge and three years of supervised release on the access device and structuring charges. Upon his release from imprisonment, Holden fled to Canada. After he was captured, he pled guilty to two grade C violations of supervised release. At his sentencing hearing, his advisory sentencing range was calculated as four to ten months of imprisonment under the policy statements in Chapter 7 of the Sentencing Guidelines. The district court sentenced Holden to the maximum sentence of three years incarceration for the violations noting that Holden "did not even give the supervising officer an opportunity to assist him in becoming law abiding and transitioning back to society." (J.A. 104). Holden timely appeals.

We note that the district court did not have the benefit of our opinion in United States v. Crudup, 461 F.3d 433 (4th Cir. 2006), to guide its imposition of Holden's revocation sentence. Nonetheless, we conclude that Holden's sentence is not plainly unreasonable, and we affirm the sentence. 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