

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-4140

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DAREN BURR,

Defendant - Appellant.

Appeal from the United States District Court for the Northern District of West Virginia, at Martinsburg. W. Craig Broadwater, District Judge. (3:05-cr-00033-WCB)

Submitted: November 30, 2006

Decided: December 13, 2006

Before WILKINSON and MICHAEL, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Tracy Weese, Shepherdstown, West Virginia, for Appellant. Rita R. Valdrini, Acting United States Attorney, Paul T. Camilletti, Assistant United States Attorney, Martinsburg, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Daren Burr pled guilty to being a felon in possession of a weapon and was sentenced to 120 months of imprisonment. On appeal, Burr argues that the district court erred by accepting the facts as stated by the probation officer in the presentence report ("PSR"). We find no clear error in the district court's acceptance of the facts as alleged in the PSR. See United States v. Love, 134 F.3d 595, 606 (4th Cir. 1998) (stating review standard); U.S. Sentencing Guidelines Manual § 6A1.3(a) (2005) (noting that a court may consider relevant information in the PSR, outside rules of evidence, as long as "the information has sufficient indicia of reliability to support its probable accuracy").

Accordingly, we affirm. 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