

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-4199

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

KEVIN BRENT PARIAG,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Richard D. Bennett, District Judge. (1:05-cr-00374-RDB)

Submitted: May 30, 2007

Decided: July 10, 2007

Before MOTZ, GREGORY, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Andrew C. White, SILVERMAN, THOMPSON & WHITE, L.L.C., Baltimore, Maryland, for Appellant. Rod J. Rosenstein, United States Attorney, Christopher J. Romano, Assistant United States Attorney, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kevin Brent Pariag pled guilty to possession with intent to distribute cocaine base in violation of 21 U.S.C. § 841(a)(1) (2000). He was sentenced to 188 months of imprisonment, which is at the bottom of his properly calculated advisory sentencing range under the federal Sentencing Guidelines. On appeal, Pariag argues that the court should have granted a downward departure to mitigate against the collateral consequences of his deportable alien status and that his sentence is unreasonable. For the reasons that follow, we affirm.

We find that the district court's sentence, imposed within the advisory sentencing range and after considering the factors in 18 U.S.C.A. § 3553(a) (West 2000 & Supp. 2006), was reasonable. United States v. Johnson, 445 F.3d 339, 341 (4th Cir. 2006) (stating that a sentence within proper advisory Guidelines range is presumptively reasonable); United States v. Green, 436 F.3d 449, 456 (4th Cir.) (noting a court must calculate the advisory Guidelines range and then consider whether that range serves the factors set forth in § 3553(a)), cert. denied, 126 S. Ct. 2309 (2006). The district court considered Pariag's mitigation arguments and provided cogent reasons on the record for rejecting them.

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 the court and argument would not aid the decisional process.

AFFIRMED