

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-5299

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

KENYA LASHAN MARTIN,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Statesville. Richard L. Voorhees, District Judge. (5:05-cr-00009-16)

Submitted: July 11, 2007

Decided: July 30, 2007

Before MOTZ and DUNCAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Thomas J. Blackwood, III, Charlotte, North Carolina, for Appellant. Gretchen C. F. Shappert, United States Attorney, Charlotte, North Carolina; Amy E. Ray, Assistant United States Attorney, Asheville, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kenya Lashan Martin pled guilty to conspiracy to possess with intent to distribute more than fifty grams of crack cocaine, more than five kilograms of cocaine, and more than 1000 kilograms of marijuana, in violation of 21 U.S.C. § 846 (2000), and to three counts of possession with intent to distribute crack cocaine, in violation of 21 U.S.C. § 841(a)(1) (2000). The district court sentenced her to 235 months of imprisonment. Martin appeals her sentence on the ground that the district court erred in determining the amount of drugs attributable to her. We affirm.

Martin asserts on appeal, as she did in the district court, that she should be held accountable only for twenty percent of the amount of crack cocaine sold to Anthony Brown over a four-year period at her mobile home because Brown dealt with her boyfriend, Brendon Steele (an indicted co-conspirator) the other eighty percent of the time. We have reviewed the record and conclude that the district court did not clearly err in attributing more than 1.5 kilograms of crack to Martin. See United States v. Fullilove, 388 F.3d 104, 106 (4th Cir. 2004) (stating standard of review).

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