

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-4042

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

TYRONE MILLER,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Florence. Terry L. Wooten, District Judge. (4:05-cr-00470-TLW)

Submitted: November 26, 2007

Decided: December 28, 2007

Before MICHAEL, TRAXLER, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Henry M. Anderson, Jr., ANDERSON LAW FIRM, PA, Florence, South Carolina, for Appellant. Jonathan Scott Gasser, Arthur Bradley Parham, OFFICE OF THE UNITED STATES ATTORNEY, Florence, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tyrone Miller pled guilty to conspiracy to possess more than fifty grams of cocaine base (crack) and more than 500 grams of cocaine with intent to distribute, 21 U.S.C. § 846 (2000), and was sentenced to a term of 170 months imprisonment. Miller's attorney has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), challenging the adequacy of the guilty plea under Fed. R. Crim. P. 11, but stating that, in his view, there are no meritorious issues for appeal. Miller has been informed of his right to file a pro se supplemental brief, but has not filed a brief. We affirm.

Although counsel questions whether the district court fully complied with Rule 11 in accepting Miller's plea, after a thorough review of the record, we conclude that the court followed all the requirements of Rule 11 to ensure that Miller's guilty plea was knowing and voluntary.

Pursuant to Anders, we have examined the entire record and find no meritorious issues for appeal. Accordingly, we affirm the district court's judgment. This court requires that counsel inform his client, in writing, of his right to petition the Supreme Court of the United States for further review. If the client requests that such a petition be filed, but counsel believes that such a petition would be frivolous, then counsel may move in this court for leave to withdraw from representation. Counsel's motion

must state that a copy thereof was served on the client. 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