

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-4393

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

STEVEN ANTHONY LAMONDS,

Defendant - Appellant.

Appeal from the United States District Court for the Middle District of North Carolina, at Durham. James A. Beaty, Jr., Chief District Judge. (1:06-cr-00244-JAB; 1:06-cr-00282-JAB-1)

Submitted: October 18, 2007

Decided: October 23, 2007

Before WILKINSON, NIEMEYER, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Louis C. Allen, III, Federal Public Defender, William S. Trivette, Assistant Federal Public Defender, Greensboro, North Carolina, for Appellant. Clifton Thomas Barrett, Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Steven Anthony Lamonds pled guilty, pursuant to a written plea agreement, to six offenses arising out of a bank robbery and a robbery of a Food Lion grocery store. Lamonds was sentenced as an armed career criminal to 180 months of imprisonment on all counts except Count Three of the bank robbery indictment (brandishing a short-barreled shotgun during a bank robbery), for which he was sentenced to a mandatory minimum consecutive term of ten years imprisonment. 18 U.S.C. §§ 924(c)(1)(B), (e)(1) (2000).

Lamonds' attorney has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967), contending that no meritorious issues exist for appeal but suggesting that the district court imposed an unreasonable sentence under United States v. Booker, 543 U.S. 220 (2005). Although informed of his right to file a pro se supplemental brief, Lamonds has not done so.

Lamonds was sentenced to a total term of 300 months imprisonment, the statutory mandatory minimum sentence. The district court possessed no discretion to sentence below the statutory mandatory minimum sentence, because "Booker did nothing to alter the rule that judges cannot depart below a statutorily provided minimum sentence." United States v. Robinson, 404 F.3d 850, 862 (4th Cir.), cert. denied, 546 U.S. 916 (2005).

In accordance with Anders, we have reviewed the entire record in this case and have found no meritorious issues for

appeal. 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 a petition be filed, but counsel believes that such a petition would be frivolous, then counsel may move 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