

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 07-4621

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ANTHONY WAYNE MANGUM,

Defendant - Appellant.

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Appeal from the United States District Court for the Middle District of North Carolina, at Durham. N. Carlton Tilley, Jr., District Judge. (1:06-cr-00058-NCT)

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Submitted: March 17, 2008

Decided: March 27, 2008

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Before WILKINSON and MOTZ, Circuit Judges, and WILKINS, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Lisa S. Costner, LISA S. COSTNER, P.A., Winston-Salem, North Carolina, for Appellant. David Paul Folmar, Jr., Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Anthony Wayne Mangum pled guilty to conspiracy to distribute fifty grams or more of cocaine base (crack), 21 U.S.C. § 846 (2000), and was sentenced as a career offender to a term of 262 months imprisonment. U.S. Sentencing Guidelines Manual § 4B1.1 (2006). Mangum's attorney has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), raising one issue but stating that, in her view, there are no meritorious issues for appeal. Mangum has filed an untimely pro se supplemental brief in which he raises additional issues. We affirm.

Counsel suggests that the district court erred in sentencing Mangum as a career offender. However, the record discloses that Mangum was properly sentenced as a career offender. In his pro se supplemental brief, Mangum argues that he is not a career offender, asserts that he was pressured by his first appointed attorney to plead guilty, and maintains that he was not mentally competent at sentencing because of medication he was taking. Because Mangum did not seek to withdraw his guilty plea in the district court, or raise any of these issues below, we review all his claims for plain error. United States v. Martinez, 277 F.3d 517, 525 (4th Cir. 2002); see also United States v. Olano, 507 U.S. 725, 731-32 (1993). Having carefully reviewed the record, we are satisfied that plain error did not occur.

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 her 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