

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-4132**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ROOSEVELT HILL, a/k/a Ro,

Defendant - Appellant.

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Appeal from the United States District Court for the Western  
District of North Carolina, at Charlotte. Frank D. Whitney,  
District Judge. (3:06-cr-00390-FDW-1)

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Submitted: March 17, 2009

Decided: March 19, 2009

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Before TRAXLER, KING, and AGEE, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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John J. Nickerson, Charlotte, North Carolina, for Appellant.  
Amy Elizabeth Ray, Assistant United States Attorney, Asheville,  
North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Roosevelt Hill pled guilty to two counts of possession of at least five grams of crack cocaine, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(B) (2006) and 18 U.S.C. § 2 (2006) (Counts One and Four); and one count of possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c) (2006) (Count Two). After application of a career offender enhancement, U.S. Sentencing Guidelines Manual § 4B1.1 (2006), to which Hill admitted he was subject, the Guidelines provided for an offense level 31 and a criminal history category VI, with an attendant sentencing range of 262 to 327 months. The district court sentenced Hill to 262 months' imprisonment. Hill's counsel has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), stating that there are no meritorious grounds for appeal. Hill was advised of his right to file a pro se brief, but has failed to do so.

Our review of the record reveals that the district court conducted a thorough Fed. R. Crim. P. 11 colloquy and properly determined that Hill's plea, including his waiver of appellate review of his conviction and sentence, was knowing and voluntary. To the extent any conviction or sentencing issue exists outside Hill's appellate waiver, we find no error by the district court.

In accordance with Anders, we have reviewed the entire record in this case and have found no meritorious issues for appeal. We therefore affirm Hill's conviction and sentence. 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 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