

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-4336

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

PAULA HANNA, a/k/a Paulette G. Hanna, a/k/a Paula Moore,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Charleston. Patrick Michael Duffy, District Judge. (2:01-cr-00749-PMD-1)

Submitted: July 16, 2008

Decided: August 29, 2008

Before WILKINSON, NIEMEYER, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

J. Robert Haley, Assistant Federal Public Defender, Charleston, South Carolina, for Appellant. Michael Rhett DeHart, Assistant United States Attorney, Charleston, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Paula Hanna appeals the district court's judgment revoking her supervised release and sentencing her to fourteen months of imprisonment. Counsel has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), stating that there are no meritorious issues for appeal but suggesting that the sentence is unreasonable. Hanna was advised of her right to file a pro se supplemental brief, but she has not done so. We affirm.

Counsel questions whether Hanna's sentence is reasonable. While the sentence Hanna received is five months above the advisory sentencing guideline range, it is within the applicable statutory maximum sentence. Moreover, our review of the record leads us to conclude that the district court sufficiently considered the statutory factors and explained its reasons for imposing a sentence above the advisory guideline range. We therefore find that the sentence imposed upon revocation of supervised release is not plainly unreasonable. See United States v. Crudup, 461 F.3d 433, 437, 439-40 (4th Cir. 2006) (providing standard), cert. denied, 127 S. Ct. 1813 (2007); see also United States v. Finley, ___ F.3d ___, ___, 2008 WL 2574457, at *5 (4th Cir. June 30, 2008) (No. 07-4690) ("In applying the 'plainly unreasonable' standard, we first determine, using the instructions given in Gall[v. United States, 128 S. Ct. 586, 597 (2007)], whether a sentence is 'unreasonable.'").

In accordance with Anders, we have reviewed the entire record in this case and have found no meritorious issues for appeal. We therefore affirm the district court's order revoking Hanna's supervised release and imposing a fourteen-month sentence. This court requires that counsel inform the client, in writing, of the 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