

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-4955

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

GEORGE ARTHUR WILLIAMS,

Defendant - Appellant.

Appeal from the United States District Court for the Middle
District of North Carolina, at Durham. William L. Osteen, Jr.,
District Judge. (1:06-cr-00158-WO-1)

Submitted: April 21, 2009

Decided: May 5, 2009

Before WILKINSON, KING, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Louis C. Allen, Federal Public Defender, Greensboro, North
Carolina, for Appellant. Anna Mills Wagoner, United States
Attorney, Michael A. DeFranco, Assistant United States Attorney,
Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

George Arthur Williams pleaded guilty to possession of a firearm by a felon, in violation of 18 U.S.C. § 922(g)(1) (2006). Based on his prior convictions for felony crimes of violence, Williams was sentenced pursuant to the Armed Career Criminal Act ("ACCA"), 18 U.S.C. § 924(e) (2006), to 180 months of imprisonment. Williams appeals his sentence. Finding no error, we affirm.

Williams argues that sentencing him pursuant to the ACCA violated his Fifth and Sixth Amendment rights when the facts necessary to support the application of the ACCA were neither alleged in the indictment nor admitted by him. This court has previously rejected a similar challenge, see United States v. Thompson, 421 F.3d 278 (4th Cir. 2005), thus establishing circuit authority binding on subsequent panels. United States v. Collins, 415 F.3d 304, 311 (4th Cir. 2005) ("A decision of a panel of this court becomes the law of the circuit and is binding on other panels unless it is overruled by a subsequent en banc opinion of this court or a superseding contrary decision of the Supreme Court.") (internal quotation marks and citation omitted). Therefore, this claim fails.

Accordingly, we affirm the judgment. 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