

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-5149

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DAVID DARRELL DAVID,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Asheville. Lacy H. Thornburg, District Judge. (1:08-cr-00011-LHT-1)

Submitted: August 27, 2009

Decided: September 10, 2009

Before MICHAEL, KING, and AGEE, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Claire J. Rauscher, Executive Director, Fredilyn Sison, FEDERAL DEFENDERS OF WESTERN NORTH CAROLINA, INC., Asheville, North Carolina, for Appellant. Edward R. Ryan, Acting United States Attorney, Mark A. Jones, Assistant United States Attorney, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David Darrell David appeals the district court's judgment entered pursuant to David's guilty plea to failure to register as a sex offender, in violation of 18 U.S.C. § 2250 (2006), by failing to register in North Carolina as a sex offender. David reserved the right to appeal the district court's denial of his motion to dismiss the indictment against him, and raises various arguments on appeal supporting his contention that denial of the motion was erroneous. We have reviewed the record and find no reversible error in light of our recent dispositive decision in United States v. Gould, 568 F.3d 459 (4th Cir. 2009), which is neither factually nor legally distinguishable from the present case. Accordingly, we affirm the district court's 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