

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-5056

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

VICTOR BARRETT,

Defendant - Appellant.

Appeal from the United States District Court for the Northern
District of West Virginia, at Clarksburg. Irene M. Keeley,
District Judge. (1:11-cr-00042-IMK-2)

Submitted: April 23, 2012

Decided: May 10, 2012

Before AGEE, KEENAN, and DIAZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Brian J. Kornbrath, Federal Public Defender, Clarksburg, West
Virginia, for Appellant. William J. Ihlenfeld, II, United
States Attorney, Andrew R. Cogar, Assistant United States
Attorney, Clarksburg, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Victor Barrett appeals his sentence after pleading guilty to conspiracy to distribute cocaine in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C), 846 (2006). On appeal, he contends that the district court erred in its drug quantity relevant conduct findings against him. We affirm.

We review the district court's drug quantity findings for clear error. United States v. Slade, 631 F.3d 185, 188 (4th Cir.), cert. denied, 131 S. Ct. 2943 (2011). We will reverse these findings "only if we are left with the definite and firm conviction that a mistake has been committed." United States v. Jeffers, 570 F.3d 557, 570 (4th Cir. 2009) (internal quotation marks and citation omitted). "Neither the Guidelines nor the courts have required precise calculations of drug quantity." United States v. Uwaeme, 975 F.2d 1016, 1019 (4th Cir. 1992); see U.S. Sentencing Guidelines Manual § 2D1.1 cmt. n.12 (2010). The district court "must only determine that it was more likely than not that the defendant was responsible for at least the drug quantity attributed to him." United States v. Kiulin, 360 F.3d 456, 461 (4th Cir. 2004).

We have reviewed the record and conclude that the district court did not clearly err in finding that Barrett was responsible for at least two kilograms of cocaine. 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