

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-5018

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ROBERT TYRONE CAMPBELL,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Dever III, Chief District Judge. (5:12-cr-00019-D-1)

Submitted: December 20, 2013

Decided: January 23, 2014

Before MOTZ and THACKER, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

William T. Russell, Jr., Juan A. Arteaga, SIMPSON THACHER & BARTLETT, LLP, New York, New York, for Appellant. Thomas G. Walker, United States Attorney, Jennifer P. May-Parker, Yvonne V. Watford-McKinney, Assistant United States Attorneys, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robert Tyrone Campbell pled guilty to possession of a firearm by a convicted felon. He now appeals his 188-month sentence. We affirm.

Campbell's Guidelines range was 180-210 months. At sentencing on November 13, 2012, the district court overruled three factual objections to the presentence investigation report. The court then heard Campbell's allocution and the arguments of counsel. Pertinent to this appeal, Campbell asked that, in accordance with U.S. Sentencing Guidelines Manual § 5G1.3(b)(1) (2012), he receive credit against his federal sentence for approximately fourteen months that he had served on a related state sentence.

The district court found that Campbell was entitled to credit under the Guidelines. In imposing the 188-month sentence, the court emphasized that the sentence reflected that credit.

Campbell contends that the district court's sentence was unreasonable under the totality of the circumstances. This court reviews a sentence for procedural and substantive reasonableness under an abuse of discretion standard. See Gall v. United States, 552 U.S. 38, 51 (2007).

We discern no error in this case. The 188-month sentence is procedurally reasonable: the district court properly

calculated the advisory Guidelines range, considered the factors set forth at 18 U.S.C. § 3553(a) (2006), analyzed the arguments presented by the parties, and sufficiently explained the selected sentence, including the credit applied pursuant to U.S.S.G. § 5G1.3(b)(1). See Gall, 552 U.S. at 49-51; United States v. Lynn, 592 F.3d 572, 575-76 (4th Cir. 2010). We further conclude that the sentence is substantively reasonable based on the totality of the circumstances.

We accordingly affirm. 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