

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 13-4018**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOHN ALVIN BLANTON, II,

Defendant - Appellant.

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Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. Catherine C. Eagles, District Judge. (1:12-cr-00194-CCE-1)

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Submitted: July 12, 2013

Decided: August 2, 2013

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Before KING, DUNCAN, and DAVIS, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Louis C. Allen, Federal Public Defender, William C. Ingram, First Assistant Federal Public Defender, Greensboro, North Carolina, for Appellant. Terry Michael Meinecke, Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John Alvin Blanton, II, appeals his convictions and 184-month sentence imposed following his guilty plea to possession of a firearm and ammunition as a convicted felon, in violation of 18 U.S.C. § 922(g)(1) (2006), and possession of a stolen firearm, in violation of 18 U.S.C. § 922(j) (2006). Blanton's counsel has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), concluding that there are no meritorious issues for appeal. Blanton was notified of his right to file a pro se supplemental brief but has not done so. The Government has declined to file a response brief. Following a careful review of the record, we affirm.

Before accepting Blanton's guilty plea, the district court conducted a thorough plea colloquy, fully complying with Fed. R. Crim. P. 11 and ensuring that Blanton's plea was knowing and voluntary and supported by an independent factual basis. See United States v. DeFusco, 949 F.2d 114, 116 (4th Cir. 1991). The court subsequently followed all necessary procedural steps in sentencing Blanton, properly calculating his Guidelines range, considering the 18 U.S.C. § 3553(a) (2006) factors and the parties' arguments, and providing an individualized assessment based on the facts presented. See Gall v. United States, 552 U.S. 38, 51 (2007). Blanton's within-Guidelines sentence is presumed substantively reasonable on appeal, and he

has not met his burden to rebut this presumption. United States v. Montes-Pineda, 445 F.3d 375, 379 (4th Cir. 2006).

In accordance with Anders, we have reviewed the record in this case and have found no meritorious issues. We therefore affirm the district court's judgment. This court requires that counsel inform Blanton, in writing, of the right to petition the Supreme Court of the United States for further review. If Blanton 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 Blanton.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED