

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-4341

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

REGINALD SHANDRELL HUNTER,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Spartanburg. Timothy M. Cain, District Judge. (7:12-cr-00301-TMC-1)

Submitted: October 29, 2013

Decided: November 8, 2013

Before NIEMEYER, KING, and KEENAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

James B. Loggins, Assistant Federal Public Defender, Greenville, South Carolina, for Appellant. Carrie Fisher Sherard, Assistant United States Attorney, Florence, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Reginald Shandrell Hunter appeals his fifty-two-month sentence imposed following his guilty plea to being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1) (2006). Hunter'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, but questioning whether the sentence is reasonable. Hunter was notified of his right to file a supplemental pro se brief, but he has not done so. Following careful review of the record, we affirm.

Our review reveals that the district court followed all necessary procedural steps in sentencing Hunter, properly calculating his Guidelines range, considered the 18 U.S.C. § 3553(a) (2006) factors and the parties' arguments, and provided an individualized assessment based on the facts presented. See Gall v. United States, 552 U.S. 38, 51 (2007). Hunter's below-Guidelines sentence, pursuant to the Government's motion for a downward departure based upon substantial assistance, is entitled to a presumption of reasonableness, and Hunter has not met his burden to rebut this presumption. See United States v. Susi, 674 F.3d 278, 289 (4th Cir. 2012); United States v. Montes-Pineda, 445 F.3d 375, 379 (4th Cir. 2006).

In accordance with Anders, we have reviewed the record and have found no meritorious issues. We therefore affirm the

district court's judgment. This Court requires that counsel inform Hunter, in writing, of the right to petition the Supreme Court of the United States for further review. If Hunter 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 Hunter.

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