

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 13-4380**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

WILLIAM JUNIOR BLUE,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. W. Earl Britt, Senior District Judge. (5:12-cr-00117-BR-1)

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Submitted: March 26, 2014

Decided: April 2, 2014

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Before KING, AGEE, and THACKER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Thomas P. McNamara, Federal Public Defender, Eric J. Brignac, Assistant Federal Public Defender, Raleigh, North Carolina, for Appellant. Thomas G. Walker, United States Attorney, Jennifer P. May-Parker, Yvonne V. Watford-McKinney, Assistant United States Attorneys, Raleigh, North Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

William Junior Blue pleaded guilty without a plea agreement to possession with intent to distribute cocaine base, in violation of 21 U.S.C. § 841 (2012), possession of a firearm by a convicted felon, in violation of 18 U.S.C. § 922(g)(1) (2012), and possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1)(A) (2012), and was sentenced to a total of 111 months' imprisonment. Blue appeals his sentence, arguing that the district court procedurally erred in determining that it lacked the authority to grant a downward variance. We affirm.

We review a sentence imposed by a district court under a deferential abuse of discretion standard. Gall v. United States, 552 U.S. 38, 45-46 (2007); United States v. Lynn, 592 F.3d 572, 581 (4th Cir. 2010). Contrary to Blue's assertion, our review of the record confirms that the district court exercised its discretion in declining to vary downward in sentencing Blue. We therefore conclude that the district court did not commit the procedural error alleged by Blue.

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 this court and argument would not aid the decisional process.

AFFIRMED