

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 14-4120**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MICHAEL JAY TUCKER,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Newport News. Mark S. Davis, District Judge. (4:12-cr-00028-MSD-LRL-1)

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Submitted: September 30, 2014

Decided: December 5, 2014

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Before WILKINSON and SHEDD, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Mark Bodner, Fairfax, Virginia, for Appellant. Dana J. Boente, United States Attorney, Catherine S. Ahn, Special Assistant United States Attorney, Alexandria, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael Jay Tucker pled guilty to two counts of brandishing a firearm during a crime of violence, in violation of 18 U.S.C. § 924(c)(1) and 18 U.S.C. § 2. On appeal, Tucker contends that the district court abused its discretion by denying his motion to withdraw his guilty plea, by denying his counsel's motion to withdraw, and by denying his motion for re-assessment of his sanity at the time he committed the offense.\* Having carefully reviewed the record, the parties' briefs, and the challenged rulings, we conclude that the court did not abuse its discretion in denying the requested relief. Accordingly, we affirm the judgment. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before us and further argument would not aid the decisional process.

AFFIRMED

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\* We review each of these rulings for abuse of discretion, considering (among other things) whether the district court analyzed the appropriate factors that guide the exercise of its discretion. See United States v. Nicholson, 676 F.3d 376, 383-84 (4th Cir. 2012) (withdrawal of guilty plea); United States v. Blackledge, 751 F.3d 188, 193-94 (4th Cir. 2014) (withdrawal of counsel); United States v. Moussaoui, 591 F.3d 263, 291 (4th Cir. 2010) (competency assessment).