

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-4171

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

WILLIAM CHRISTOPHER BUTLER,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Greenville. James C. Fox, Senior District Judge. (4:13-cr-00051-F-1)

Submitted: November 25, 2014

Decided: December 19, 2014

Before SHEDD, WYNN, and HARRIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Richard Croutharmel, Raleigh, North Carolina, for Appellant.
Thomas G. Walker, United States Attorney, Jennifer P. May-Parker, Shailika K. Shah, Assistant United States Attorneys, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

William Butler was sentenced to twenty years' imprisonment and a lifetime of supervised release for transporting child pornography in violation of 18 U.S.C. § 2252(a)(1) (2012). On appeal, Butler contends that the district court plainly erred in finding a sufficient factual basis to accept his guilty plea. We affirm.

Because Butler did not challenge the Fed. R. Crim. P. 11 proceedings in the district court, we review his challenge for plain error. United States v. Mastrapa, 509 F.3d 652, 657 (4th Cir. 2007). Under plain error review, Butler must demonstrate that an error (1) occurred, (2) was plain, and (3) affected his substantial rights. United States v. Henderson, 133 S. Ct. 1121, 1126 (2013). Even then, we will correct the error only if it "seriously affects the fairness, integrity or public reputation of judicial proceedings." Id. (internal quotation marks and alteration omitted).

Before entering judgment on a guilty plea, a district court must find a factual basis to support the plea. Fed. R. Crim. P. 11(b)(3). The factual basis may be supported by anything in the record, including the presentence report. United States v. Martinez, 277 F.3d 517, 525 (4th Cir. 2002). A mere blanket admission of guilt, in response to a recitation of the elements of the charged offense, is, without more, not a

sufficient factual basis to support a plea. See United States v. Carr, 271 F.3d 172, 178-81 (4th Cir. 2001).

We have reviewed the record and find no plain error. Assuming, without deciding, that Butler's admission at the Rule 11 hearing was insufficient by itself to support a guilty plea, the record as a whole, including the presentence report, provided ample factual basis for the plea.

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