

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-4441

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DANNY LEE MCCOLLUM,

Defendant - Appellant.

Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. William L. Osteen, Jr., Chief District Judge. (1:14-cr-00432-WO-1)

Submitted: March 30, 2016

Decided: April 13, 2016

Before GREGORY and DIAZ, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Seth A. Neyhart, STARK LAW GROUP, PLLC, Chapel Hill, North Carolina, for Appellant. Randall Stuart Galyon, OFFICE OF THE UNITED STATES ATTORNEY, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Danny Lee McCollum pled guilty pursuant to a written plea agreement to one count of distribution of cocaine base. The district court sentenced him to 30 months' imprisonment, to be followed by four years of supervised release. On appeal, McCollum's counsel has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), stating that there are no meritorious grounds for appeal but questioning whether the district court imposed a reasonable sentence. McCollum was informed of his right to file a pro se supplemental brief, but has not done so.

In accordance with Anders, we have reviewed the record in this case and have found no meritorious grounds for appeal. The district court made no significant procedural error at sentencing, see Gall v. United States, 552 U.S. 38, 51 (2007), and McCollum has not rebutted the presumption on appeal that his within-Guidelines sentence is substantively reasonable, see United States v. Louthian, 756 F.3d 295, 306 (4th Cir.), cert. denied, 135 S. Ct. 421 (2014). Accordingly, we affirm the district court's judgment.

This court requires that counsel inform McCollum, in writing, of the right to petition the Supreme Court of the United States for further review. If McCollum 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 McCollum.

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