UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-4480

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JUNIOR THOMAS COTTON,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Wilmington. Louise W. Flanagan, District Judge. (7:15-cr-00021-FL-1)

Submitted: May 30, 2017 Decided: June 30, 2017

Before NIEMEYER, FLOYD, and THACKER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

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, Kristine L. Fritz, Assistant United States Attorneys, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Junior Thomas Cotton appeals his 33-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), 924 (2012). Cotton challenges the district court's calculation of his base offense level under U.S. Sentencing Guidelines Manual § 2K2.1(a) (2014), which establishes a higher offense level for defendants with a prior conviction for a crime of violence under USSG § 4B1.2(a)(2). Cotton argues that his prior conviction, which was deemed a crime of violence under the residual clause of USSG § 4B1.2(a)(2), is no longer a crime of violence in light of *Johnson v. United States*, 135 S. Ct. 2551 (2015) (striking Armed Career Criminal Act's residual clause in crime of violence definition as unconstitutionally vague). We rejected that argument in *United States v. Mack*, __ F.3d __, No. 15-4684, 2017 WL 1544953 (4th Cir. May 1, 2017). Accordingly, Cotton's challenge is foreclosed by our decision in *Mack*.

We therefore 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