

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-4606

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

VERNON WADE BAME, JR.,

Defendant - Appellant.

Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. James A. Beaty, Jr., Senior District Judge. (1:15-cr-00082-JAB-1)

Submitted: May 31, 2016

Decided: July 6, 2016

Before MOTZ, KEENAN, and HARRIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Louis C. Allen, Federal Public Defender, Mireille P. Clough, Assistant Federal Public Defender, Winston-Salem, North Carolina, for Appellant. Terry Michael Meinecke, Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Vernon Wade Bame, Jr., pled guilty pursuant to a written plea agreement to one count of possession of a firearm by a felon in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2) (2012). The district court sentenced him to 60 months' imprisonment, to be followed by three years of supervised release. On appeal, Bame'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 Bame's prior North Carolina convictions were punishable by a term exceeding one year, and whether his sentence is procedurally reasonable. Bame 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. Bame's assertion that his prior convictions were not punishable for a term exceeding one year is foreclosed by our recent decision in United States v. Barlow, 811 F.3d 133 (4th Cir. 2015), cert. denied, __ S. Ct. __, 2016 WL 1465057 (U.S. May 16, 2016) (No. 15-4114). Moreover, in light of Barlow, the district court did not err in calculating Bame's base offense level pursuant to U.S. Sentencing Guidelines Manual § 2K2.1(a)(4)(A) (2014), and his sentence is procedurally reasonable. See Gall

v. United States, 552 U.S. 38, 51 (2007). Accordingly, we affirm the district court's judgment.

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

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