

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-6197

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

WENDELL ANTONIO JOHNSON,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of Virginia, at
Roanoke. Samuel G. Wilson, District Judge. (7:04-cr-00128-MFU-1)

Submitted: June 20, 2017

Decided: June 23, 2017

Before SHEDD, WYNN, and DIAZ, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Wendell Antonio Johnson, Appellant Pro Se. Jean Barrett Hudson, Assistant United
States Attorney, Charlottesville, Virginia; Donald Ray Wolthuis, Assistant United States
Attorney, Roanoke, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Wendell Antonio Johnson pled guilty to conspiracy to distribute cocaine and cocaine base and related offenses, and the district court sentenced him to 300 months' imprisonment. On direct appeal, we affirmed in part and dismissed in part. *United States v. Johnson*, 259 F. App'x 542, 543-45 (4th Cir. 2007) (No. 05-5176). In February 2017, Johnson filed a second notice of appeal of the same criminal judgment. Because we previously affirmed this criminal judgment, we dismiss the appeal as duplicative, and we deny his motion to place his appeal in abeyance pending a decision on his state court motion. 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 in the decisional process.

DISMISSED