

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 18-4087

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CLAUDE ALLEN LOATMAN, III,

Defendant - Appellant.

Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. William L. Osteen, Jr., District Judge. (1:17-cr-00141-WO-1)

Submitted: July 26, 2018

Decided: July 30, 2018

Before GREGORY, Chief Judge, FLOYD, Circuit Judge, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Louis C. Allen, Federal Public Defender, Mireille P. Clough, Assistant Federal Public Defender, OFFICE OF THE FEDERAL PUBLIC DEFENDER, Winston-Salem, North Carolina, for Appellant. Matthew G.T. Martin, United States Attorney, Michael A. DeFranco, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Claude Allen Loatman, III, pled guilty to possession of a firearm by a convicted felon, in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2) (2012), and the district court sentenced him to 72 months' imprisonment. We affirm.

Loatman's advisory Sentencing Guidelines range of 70 to 87 months' imprisonment was based, in part, on the district court's finding that Loatman's prior North Carolina conviction for common law robbery was a crime of violence pursuant to U.S. Sentencing Guidelines Manual § 2K2.1(a)(4)(A) (2016), as defined by USSG § 4B1.2(a). The only issue Loatman raises on appeal is whether North Carolina common law robbery is, in fact, a crime of violence under the Guidelines. Loatman concedes, however, that our decision in *United States v. Gattis*, 877 F.3d 150, 156 (4th Cir. 2017), *cert. denied*, 138 S. Ct. 1572 (2018), answered this precise question in the affirmative.

Because Loatman's argument is foreclosed by *Gattis*, we affirm the judgment of the district court. 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