

**UNPUBLISHED**

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

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**No. 19-4425**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ANTHONY MANDRELL ROGERS, a/k/a Boo Cat,

Defendant - Appellant.

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Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. N. Carlton Tilley, Jr., Senior District Judge. (1:14-cr-00433-NCT-11)

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Submitted: May 5, 2020

Decided: May 18, 2020

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Before GREGORY, Chief Judge, KEENAN and THACKER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Lisa S. Costner, LISA S. COSTNER, P.A., Winston-Salem, North Carolina, for Appellant.  
Michael Francis Joseph, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Greensboro, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

## PER CURIAM

Anthony Mandrell Rogers appeals the district court's decision to revoke supervised release and impose a 24-month sentence and one year of supervised release. Counsel has filed a brief pursuant to *Anders v. California*, 386 U.S. 738 (1967), stating that there are no meritorious grounds for appeal. Although notified of his right to do so, Rogers has not filed a pro se supplemental brief. We affirm.

Counsel submits that the evidence supporting the district court's decision to revoke Rogers' supervised release was sufficient. Because Rogers did not challenge the revocation decision in the district court, our review is for plain error. *United States v. Dennison*, 925 F.3d 185, 190 (4th Cir. 2019) (providing standard). Our review of the record leads us to conclude that the preponderance of the evidence supports the district court's decision, *see* 18 U.S.C. § 3583(e)(3) (2018), and that the court committed no plain error in revoking supervised release.

Next, counsel recognizes that the terms of imprisonment and supervised release fall within the applicable statutory maximum and that the 24-month sentence is within the advisory policy statement sentencing range. "A district court has broad discretion when imposing a sentence upon revocation of supervised release." *United States v. Webb*, 738 F.3d 638, 640 (4th Cir. 2013). "We will affirm a revocation sentence if it is within the statutory maximum and is not plainly unreasonable." *United States v. Slappy*, 872 F.3d 202, 207 (4th Cir. 2017) (internal quotation marks omitted). "To consider whether a revocation sentence is plainly unreasonable, we first must determine whether the sentence is . . . unreasonable." *Id.* Only if the sentence is procedurally or substantively unreasonable

must we determine whether it is plainly so. *Id.* at 208; *United States v. Moulden*, 478 F.3d 652, 656-57 (4th Cir. 2007). Our review of the sentence imposed by the district court reveals no procedural or substantive error.

In accordance with *Anders*, we have reviewed the entire record in this case and have found no meritorious grounds for appeal. We therefore affirm the district court's revocation judgment. This court requires that counsel inform Rogers, in writing, of the right to petition the Supreme Court of the United States for further review. If Rogers requests that counsel file such a petition, 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 she served a copy thereof on Rogers.

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*