

UNPUBLISHED

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

No. 19-4885

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

KRISTY G. COLEMAN,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Greenville. Timothy M. Cain, District Judge. (6:19-cr-00468-TMC-2)

Submitted: May 19, 2020

Decided: May 21, 2020

Before NIEMEYER, HARRIS, and RICHARDSON, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Benjamin T. Stepp, Assistant Federal Public Defender, OFFICE OF THE FEDERAL PUBLIC DEFENDER, Greenville, South Carolina, for Appellant. William Jacob Watkins, Jr., OFFICE OF THE UNITED STATES ATTORNEY, Greenville, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kristy G. Coleman pled guilty, without a written plea agreement, to conspiracy to defraud the United States, in violation of 18 U.S.C §§ 371, 513, 1708 (2018). The district court established a Sentencing Guidelines range of 18 to 24 months and sentenced Coleman to 21 months' imprisonment. Coleman'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 Coleman's within-Guidelines-range sentence is reasonable. Although notified of her right to file a pro se supplemental brief, Coleman has not done so. The Government has declined to file a response brief. We affirm.

We review a criminal “sentence[]—whether inside, just outside, or significantly outside the Guidelines range—under a deferential abuse-of-discretion standard.” *Gall v. United States*, 552 U.S. 38, 41 (2007). We “first ensure that the district court committed no significant procedural error, such as failing to calculate (or improperly calculating) the Guidelines range, . . . failing to consider the [18 U.S.C.] § 3553(a) [(2018)] factors, . . . or failing to adequately explain the chosen sentence.” *Id.* at 51; *see United States v. Provance*, 944 F.3d 213, 218 (4th Cir. 2019). If there is no significant procedural error, then we consider the sentence's substantive reasonableness. *Gall*, 552 U.S. at 51. “Any sentence that is within or below a properly calculated Guidelines range is presumptively reasonable.” *United States v. White*, 810 F.3d 212, 230 (4th Cir. 2016) (internal quotation marks omitted).

Having carefully reviewed the record, we conclude that the district court properly calculated the advisory Guidelines range, gave the parties the opportunity to argue for an

appropriate sentence, and sufficiently explained the chosen sentence. Because Coleman has failed to rebut the presumption of reasonableness that we afford her within-Guidelines-range sentence, *see id.*, we conclude that the district court did not abuse its discretion in imposing Coleman's sentence.

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

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