

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-4415

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

VICTOR FOSSETT,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Richard D. Bennett, District Judge. (1:07-cr-00010-RDB)

Submitted: November 16, 2007

Decided: December 27, 2007

Before NIEMEYER, MICHAEL, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

James Wyda, Federal Public Defender, Denise C. Barrett, Assistant Federal Public Defender, Baltimore, Maryland, for Appellant. Stephen Matthew Schenning, OFFICE OF THE UNITED STATES ATTORNEY, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Victor Fossett pled guilty pursuant to a plea agreement to bank robbery, in violation of 18 U.S.C. § 2113(a), (f) (2000). Fossett was sentenced to 151 months' imprisonment, which was the low end of the advisory guidelines range. Counsel has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967), stating that there are no meritorious issues for appeal, but questioning whether the sentence imposed was unreasonable. Fossett was advised of his right to file a pro se supplemental brief, but has not done so.

We find that the district court properly applied the sentencing guidelines and considered the relevant sentencing factors before imposing the 151-month sentence. 18 U.S.C.A. § 3553(a) (West 2000 & Supp. 2007). Additionally, we find that the sentence imposed was reasonable. See United States v. Johnson, 445 F.3d 339, 341 (4th Cir. 2006); Rita v. United States, 127 S. Ct. 2456, 2462-69 (2007) (upholding presumption of reasonableness accorded within-guidelines sentence).

Pursuant to Anders, we have examined the entire record and find no meritorious issues for appeal. We therefore affirm Fossett's conviction and sentence. We deny counsel's motion to withdraw. This court requires that counsel inform his client, in writing, of his right to petition the Supreme Court for further review. If Fossett requests that such 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 Fossett.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED