

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-4447

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

TERRON ARMENIUS MOORE,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Baltimore. William D. Quarles, Jr., District Judge. (1:06-cr-00328-WDQ)

Submitted: December 13, 2007

Decided: December 18, 2007

Before NIEMEYER, MOTZ, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

James Wyda, Federal Public Defender, Daniel W. Stiller, Assistant Federal Public Defender, Paresh S. Patel, Staff Attorney, Greenbelt, Maryland, for Appellant. Rod J. Rosenstein, United States Attorney, Debra L. Dwyer, Assistant United States Attorney, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Terron Armenius Moore appeals the seventy-month sentence imposed following his guilty plea to bank robbery. On appeal, he contends that his sentence is unreasonable because the district court failed to address his arguments in support of a variance sentence. Specifically, Moore asserted that a within-guideline sentence subjected him to "unwarranted sentencing disparity" prohibited under 18 U.S.C. § 3553(a)(6) (2000), failed to account for his assisting law enforcement personnel in the investigation of a jailhouse solicitation-for-murder scheme, and failed to address his personal history and characteristics—especially his youth, expressed remorse, family support, and willingness to work in his family's business upon his release from prison. Our review of the record discloses no reversible error; accordingly, we affirm Moore's sentence.

We find that the district court properly applied the Sentencing Guidelines and considered the relevant sentencing factors before imposing the seventy-month sentence. 18 U.S.C.A. § 3553(a) (West 2000 & Supp. 2007); see United States v. Hughes, 401 F.3d 540, 546-47 (4th Cir. 2005). The court considered Moore's arguments in support of a variance sentence and determined that a variance was not warranted in this case and that a sentence at the bottom of the guideline range would achieve the purposes of § 3553(a). The district court need not explicitly discuss every

§ 3553(a) factor on the record or "robotically tick through § 3553(a)'s every subsection." United States v. Johnson, 445 F.3d 339, 345 (4th Cir. 2006).

We find that the sentence imposed by the district court was reasonable. See United States v. Green, 436 F.3d 449, 457 (4th Cir.) ("[A] sentence imposed within the properly calculated [g]uidelines range . . . is presumptively reasonable.") (internal quotation marks and citation omitted), cert. denied, 126 S. Ct. 2309 (2006); see also Rita v. United States, 127 S. Ct. 2456, 2462-69 (2007) (upholding application of rebuttable presumption of correctness of within-guideline sentence). Accordingly, we affirm Moore's sentence. 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