

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-5006

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JAQUAN BROOKS,

Defendant - Appellant.

Appeal from the United States District Court for the District of
South Carolina, at Florence. R. Bryan Harwell, District Judge.
(4:11-cr-00079-RBH-2)

Submitted: June 5, 2012

Decided: June 12, 2012

Before MOTZ, GREGORY, and DAVIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Rose Mary Parham, PARHAM LAW FIRM, LLC, Florence, South
Carolina, for Appellant. Alfred William Walker Bethea, Jr.,
Assistant United States Attorney, Florence, South Carolina, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jaquan Brooks pleaded guilty, pursuant to a written plea agreement, to one count of obstructing, delaying, and affecting commerce and the movement of articles and commodities in commerce by robbery, in violation of 18 U.S.C. §§ 1951(a), 2 (2006), and one count of use and carry of a firearm during and in relation to, and in furtherance of, a crime of violence, in violation of 18 U.S.C. §§ 924(c)(1)(A), 2 (2006). The plea agreement between Brooks and the Government stipulated to a cumulative term of imprisonment of nineteen years. The district court accepted Brooks' plea and, in accordance with the plea agreement, sentenced Brooks to 108 months' imprisonment for the robbery conviction followed by a term of 120 months' imprisonment for the firearm conviction. On appeal, Brooks' counsel filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), in which she states that she can find no meritorious issue for appeal. Counsel requests our review of the district court's compliance with Fed. R. Crim. P. 11 and the reasonableness of Brooks' sentence. Brooks was afforded an opportunity to file a pro se supplemental brief, but he has not done so.

Our review of the plea hearing transcript uncovers no violation of Fed. R. Crim. P. 11. Nor do we find any error in Brooks' sentence. Because Brooks received the bargained-for

nineteen year custodial sentence, our appellate review is confined to the issues of whether the sentence was imposed in violation of law or was imposed as the result of an incorrect application of the Sentencing Guidelines. 18 U.S.C. § 3742(c)(1) (2006); see also United States v. Sanchez, 146 F.3d 796, 797 (10th Cir. 1998). We find neither to be the case here.

In accordance with Anders, we have reviewed the record in this case and have found no meritorious issues for appeal. We therefore affirm the district court's judgment. This court requires that counsel inform Brooks, in writing, of the right to petition the Supreme Court of the United States for further review. If Brooks 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 Brooks.

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