

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-4538

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MARCO WIGFALL,

Defendant - Appellant.

Appeal from the United States District Court for the Western
District of North Carolina, at Charlotte. Frank D. Whitney,
Chief District Judge. (3:09-cr-00039-FDW-9)

Submitted: March 1, 2016

Decided: March 17, 2016

Before MOTZ, KING, and WYNN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Matthew Nis Leerberg, SMITH MOORE LEATHERWOOD LLP, Raleigh,
North Carolina, Kip D. Nelson, SMITH MOORE LEATHERWOOD LLP,
Greensboro, North Carolina, for Appellant. Jill Westmoreland
Rose, United States Attorney, Amy E. Ray, Assistant United
States Attorney, Asheville, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Marco Wigfall appeals the district court's judgment revoking his supervised release and sentencing him to 12 months' imprisonment. Wigfall argues that his sentence was plainly unreasonable because the district court mistakenly believed that Wigfall's revocation sentence had to run consecutively to his state prison sentence. We have reviewed the record and conclude that the district court correctly understood that it had discretion to impose a concurrent or consecutive sentence. See U.S. Sentencing Guidelines Manual § 7B1.3(f) (2009) (policy statement expressing preference for consecutive sentences); United States v. Thompson, 595 F.3d 544, 546-47 (4th Cir. 2010) (discussing non-binding nature of policy statements concerning revocation). Accordingly, we affirm the district court's judgment. 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