

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-4717

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ALEX PINEDA-MENDEZ,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Robert E. Payne, Senior District Judge. (3:08-cr-00517-REP-1)

Submitted: April 27, 2017

Decided: May 3, 2017

Before WILKINSON, MOTZ, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Jeremy C. Kamens, Federal Public Defender, Frances H. Pratt, Mary E. Maguire, Assistant Federal Public Defenders, Alexandria, Virginia, for Appellant. Stephen David Schiller, Assistant United States Attorney, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Alex Pineda-Mendez appeals the district court's judgment imposing a sentence of 24 months' imprisonment upon revocation of his supervised release. Appellate counsel has filed a brief pursuant to *Anders v. California*, 386 U.S. 738 (1967), concluding that there are no meritorious grounds for appeal but questioning whether the district court erred when it sentenced Pineda-Mendez. We affirm.

"A district court has broad discretion when imposing a sentence upon revocation of supervised release." *United States v. Webb*, 738 F.3d 638, 640 (4th Cir. 2013). "We will affirm a revocation sentence if it is within the statutory maximum and is not plainly unreasonable." *Id.* (internal quotation marks omitted). "When reviewing whether a revocation sentence is plainly unreasonable, we must first determine whether it is unreasonable at all." *United States v. Thompson*, 595 F.3d 544, 546 (4th Cir. 2010); see 18 U.S.C. §§ 3553(a), 3583(e) (2012). Our review of the record leads us to conclude that Pineda-Mendez's sentence is reasonable.

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 Pineda-Mendez, in writing, of the right to petition the Supreme Court of the United States for further review. If Pineda-Mendez requests that a petition be filed, but counsel believes that such a petition would be

* We have reviewed the claims raised in Pineda-Mendez's pro se supplemental brief and conclude they lack merit.

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 Pineda-Mendez. 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