

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-4012

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

TRENT LESEAN CREECH,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Louise W. Flanagan, District Judge. (5:20-cr-00167-FL-1)

Submitted: November 22, 2022

Decided: November 28, 2022

Before HARRIS and RICHARDSON, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Dismissed in part and affirmed in part by unpublished per curiam opinion.

ON BRIEF: Christopher S. Edwards, WARD & SMITH, PA, Wilmington, North Carolina, for Appellant. David A. Bragdon, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Trent Lesean Creech pleaded guilty, pursuant to a written plea agreement, to possession of a firearm as a convicted felon, in violation of 18 U.S.C. § 922(g). The district court sentenced Creech to 63 months' imprisonment and Creech timely appealed. On appeal, counsel has filed a brief pursuant to *Anders v. California*, 386 U.S. 738 (1967), stating that there are no meritorious grounds for appeal but questioning whether Creech's sentence is procedurally reasonable. Although informed of his right to do so, Creech has not filed a supplemental pro se brief. The Government has moved to dismiss the appeal pursuant to the appeal waiver contained in the plea agreement; Creech opposes the motion. We dismiss in part and affirm in part.

First, we conclude that Creech knowingly and voluntarily waived his right to appeal and that the issue Creech seeks to raise on appeal falls squarely within the scope of his appellate waiver. Second, in accordance with *Anders*, we have reviewed the record in its entirety and have discerned no meritorious issues for appeal outside the scope of the waiver. Accordingly, we grant, in part, the Government's motion to dismiss and dismiss the appeal as to all issues within the waiver's scope. We affirm the remainder of the judgment.

This court requires that counsel inform Creech, in writing, of the right to petition the Supreme Court of the United States for further review. If Creech 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 Creech. 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.

*DISMISSED IN PART,
AFFIRMED IN PART*