

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-4698

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MESSIAH MAY, a/k/a Siah,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Richard E. Myers, II, Chief District Judge. (5:20-cr-00543-M-1)

Submitted: May 15, 2024

Decided: July 3, 2024

Before KING, WYNN, and RUSHING, Circuit Judges.

Affirmed and remanded by unpublished per curiam opinion.

ON BRIEF: W. James Payne, W. JAMES PAYNE LAW FIRM, Shallotte, North Carolina, for Appellant. Michael F. Easley, Jr., United States Attorney, David A. Bragdon, Assistant United States Attorney, Aria Q. Merle, 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Unpublished opinions are not binding precedent in this circuit.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:

Messiah May appeals the district court's order granting in part and denying in part his motion to dismiss the indictment in the underlying criminal case on double jeopardy grounds.* We have reviewed the record and find no reversible error. Accordingly, we affirm the district court's order. *United States v. May*, No. 5:20-cr-00543-M-1 (E.D.N.C. Nov. 3, 2023). We remand to the district court for further proceedings. 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 AND REMANDED

* We have jurisdiction over this appeal under the collateral order doctrine. *See Abney v. United States*, 431 U.S. 651, 659 (1977).