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USA v. Gisewhite

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NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No: 01-1033

UNITED STATES OF AMERICA

v.

MICHAEL GISEWHITE,
Appellant

On Appeal from the United States District Court
for the Middle District of Pennsylvania
D.C. Criminal No. 99-cr-00013
District Judge: Malcolm Muir

Submitted Pursuant to Third Circuit LAR 34.1(a)
February 11, 2003

Before: Alito, McKee, Circuit Judges, and Schwarzer, Senior District Judge*

OPINION OF THE COURT

(Opinion Filed: February 12, 2003)

PER CURIAM

The defendant, Michael Gisewhite was indicted along with his codefendants and charged with conspiracy to distribute, and possession with intent to distribute, various controlled substances including heroin, marijuana, and Xanax in violation of 21 U.S.C. ' ' 846 and 841(a)(1), and related offenses. Following trial on those charges, Gisewhite was

*Honorable William W Schwarzer, Senior District Judge, Northern District of California sitting by designation.

convicted of all three counts in the indictment and was thereafter sentenced to a period of incarceration of 96 months followed by three years supervised release. This appeal followed.

Pursuant to *Anders v. California*, 386 U.S. 738 (1967) and 3d Circuit Local Appellate Rule 109.2(a), counsel now certifies that, based upon his review of the record, there are no non-frivolous issues to appear.® We agree and we will therefore affirm the judgment of sentence.

TO THE CLERK:

Please file the foregoing opinion.

By the Court,

Circuit Judge

