

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-4029

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ERNEST EARL MCLAMB; THOMAS LATTIE MCLAMB,

Defendants - Appellants.

Appeal from the United States District Court for the Eastern District of North Carolina, at Wilmington. James C. Fox, District Judge. (CR-98-62-F)

Submitted: September 30, 1999

Decided: October 15, 1999

Before MURNAGHAN, MICHAEL, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

William Arthur Webb, Federal Public Defender, Stephen C. Gordon, Assistant Federal Public Defender, Raleigh, North Carolina; J. Michael McGuinness, Elizabethtown, North Carolina, for Appellants. Janice McKenzie Cole, United States Attorney, Anne M. Hayes, Assistant United States Attorney, J. Frank Bradsher, Assistant United States Attorney, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Thomas Lattie McLamb and Ernest Earl McLamb each pled guilty under separate plea agreements, to conspiracy to distribute and possess with intent to distribute marijuana and to use of real and personal property to facilitate and commit controlled substance offenses. On appeal, their sole allegation is that the Government breached its plea agreement with each of them by failing to fully disclose to the sentencing court the scope of their cooperation with the Government. We have reviewed the record and find no plain error. See United States v. McQueen, 108 F.3d 64, 65-66 (4th Cir. 1997) (holding that when the issue of a breached plea agreement is raised for first time on appeal, it is reviewed for plain error). Accordingly, we affirm the McLamb's convictions and sentences. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED