

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 08-1566

UNITED STATES OF AMERICA

v.

KENNETH HUNTER, Appellant

On Appeal from the United States District Court
for the Middle District of Pennsylvania
(D.C. Criminal No. 1-03-cr-00263-001)
District Judge: The Honorable Sylvia H. Rambo

Submitted Under Third Circuit LAR 34.1(a)
October 27, 2008

Before: McKEE, NYGAARD, and MICHEL, * Circuit Judges.

(Filed: November 4, 2008)

OPINION OF THE COURT

NYGAARD, Circuit Judge.

*The Honorable Paul R. Michel, Chief Judge, United States Court of Appeals for the Federal Circuit, sitting by designation.

This is an appeal from a re-sentence imposed after a remand pursuant to *United States v. Booker*, 543 U.S. 220 (2005). Appellant, Kenneth Hunter, pleaded guilty to possession with intent to distribute crack cocaine. The District Court entered judgment and sentenced Appellant to a prison sentence of time served, with three years of supervised release.

Because we write exclusively for the parties who are familiar with the facts and the proceedings below, we will not revisit them here. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Hunter's appointed counsel has examined the record, concluded that there are no non-frivolous issues for review, and has requested permission to withdraw.

We, too, have thoroughly examined the record and can find no non-frivolous issues to be raised in this appeal. Hence, we will affirm the judgment of the District Court and grant counsel's motion to withdraw.