

Exhibit 1

Fourth Circuit Opinion Affirming District Court (May 17, 2022)

Exhibit 2

Fourth Circuit Order Denying Petition for Rehearing and Rehearing En Banc (October 6, 2022)

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-4686

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CHRISTOPHER HAROLD GOINS, JR.,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at
Wilmington. Louise W. Flanagan, District Judge. (7:10-cr-00107-FL-1)

Submitted: May 10, 2022

Decided: May 17, 2022

Before NIEMEYER and WYNN, Circuit Judges, and KEENAN, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

ON BRIEF: G. Alan DuBois, Federal Public Defender, Eric Joseph Brignac, Chief
Appellate Attorney, OFFICE OF THE FEDERAL PUBLIC DEFENDER, Raleigh, North
Carolina, for Appellant. Michael F. Easley, Jr., United States Attorney, David A. Bragdon,
Assistant United States Attorney, Kristine L. Fritz, 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Unpublished opinions are not binding precedent in this circuit.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:

Christopher Harold Goins, Jr., appeals his 240-month sentence, arguing that the district court erroneously sentenced him as an armed career criminal, *see* 18 U.S.C. § 924(e), because one of his predicates is invalid. However, as Goins correctly concedes, his challenge is foreclosed by *United States v. Dodge*, 963 F.3d 379, 381-85 (4th Cir. 2020), which held that the predicate offense at issue—North Carolina breaking and entering, N.C. Gen. Stat. § 14-54(a)—categorically qualifies as a violent felony for purposes of the Armed Career Criminal Act. And, as Goins further acknowledges, this panel is not at liberty to overrule *Dodge*. *See United States v. Williams*, 808 F.3d 253, 261 (4th Cir. 2015).

Accordingly, we affirm the district court's judgment. 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

FILED: October 6, 2022

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FOR THE FOURTH CIRCUIT

No. 21-4686
(7:10-cr-00107-FL-1)

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

CHRISTOPHER HAROLD GOINS, JR.

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O R D E R

The petition for rehearing en banc was circulated to the full court. No judge requested a poll under Fed. R. App. P. 35. The court denies the petition for rehearing en banc.

For the Court

/s/ Patricia S. Connor, Clerk