

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-7133

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ANTHONY HATCHES, a/k/a Jameel Smith, a/k/a Anthony Dove,
a/k/a Ant Hatches, a/k/a Anthony Farvey,

Defendant - Appellant.

Appeal from the United States District Court for the Western
District of Virginia, at Charlottesville. Norman K. Moon,
District Judge. (3:02-cr-00058-NKM-1)

Submitted: November 24, 2009

Decided: December 16, 2009

Before WILKINSON, NIEMEYER, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Anthony Hatches, Appellant Pro Se. Bruce A. Pagel, OFFICE OF THE
UNITED STATES ATTORNEY, Charlottesville, Virginia; Jeb Thomas
Terrien, Assistant United States Attorney, Harrisonburg,
Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Anthony Hatches appeals the district court's order granting his 18 U.S.C. § 3582(c) (2006) motion. We find the district court did not abuse its discretion in granting Hatches' motion for a sentence reduction. See United States v. Goines, 357 F.3d 469, 478 (4th Cir. 2004) (stating standard of review). Insofar as Hatches suggests the court could have considered an even lower sentence below the Sentencing Guidelines range, this claim is foreclosed by United States v. Dunphy, 551 F.3d 247 (4th Cir.) ("[A] district judge is not authorized to reduce a defendant's sentence below the amended guideline range."), cert. denied, 129 S. Ct. 2401 (2009). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Hatches, No. 3:02-cr-00058-NKM-1 (W.D. Va. June 3, 2008). We deny Hatches' motion challenging the jurisdiction of the district court. 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