

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-7546**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

KIRKWOOD DONNELL CABINESS,

Defendant - Appellant.

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Appeal from the United States District Court for the Western District of Virginia, at Danville. Norman K. Moon, District Judge. (4:02-cr-70031-1)

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Submitted: May 21, 2009

Decided: May 26, 2009

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Before MOTZ, TRAXLER, and AGEE, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Kirkwood Donnell Cabiness, Appellant Pro Se. Donald Ray Wolthuis, Assistant United States Attorney, Roanoke, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kirkwood Donnell Cabiness appeals the district court's order denying his motion for reduction of sentence pursuant to 18 U.S.C. § 3582(c) (2006), and its subsequent order denying his motion for reconsideration. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Cabiness, No. 4:02-cr-70031-1 (W.D. Va. July 28, 2008; Aug. 8, 2008). See United States v. Dunphy, 551 F.3d 247 (4th Cir. 2009). 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