

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-8163

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DAVID COREY JOHNSON,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Robert E. Payne, Senior District Judge. (3:01-cr-00117-REP-1)

Submitted: March 17, 2009

Decided: March 20, 2009

Before TRAXLER, KING, and AGEE, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Robert J. Wagner, Assistant Federal Public Defender, Richmond, Virginia, for Appellant. James Brien Comey, Jr., OFFICE OF THE UNITED STATES ATTORNEY, John Staige Davis, V, Brian Ronald Hood, Assistant United States Attorneys, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David Corey Johnson appeals the district court's order denying his 18 U.S.C. § 3582(c) (2006) motion. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Johnson, No. 3:01-cr-00117-REP-1 (E.D. Va. Sept. 22, 2008). We deny Johnson's motion for appointment of counsel. 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