

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-8322**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DAVID BOYNTON,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. James R. Spencer, Chief District Judge. (3:97-cr-00294-JRS-1)

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Submitted: February 19, 2009

Decided: February 26, 2009

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Before WILKINSON, DUNCAN, and AGEE, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Michael S. Nachmanoff, Federal Public Defender, Amy Leigh Austin, OFFICE OF THE FEDERAL PUBLIC DEFENDER, Assistant Federal Public Defender, Richmond, Virginia, for Appellant. Richard Daniel Cooke, Norval George Metcalf, Assistant United States Attorneys, Richmond, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David Boynton appeals the district court's order denying his motion for reduction of sentence pursuant to 18 U.S.C. § 3582(c) (2006). We have reviewed the record and find no reversible error. Accordingly, we affirm. United States v. Boynton, No. 3:97-cr-00294-JRS-1 (E.D. Va. Oct. 14, 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