

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-6784

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BRIAN TAFT EDDIE,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Frank D. Whitney, District Judge. (3:01-cr-00004-FDW-3)

Submitted: August 20, 2009

Decided: August 27, 2009

Before WILKINSON and MICHAEL, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Brian Taft Eddie, Appellant Pro Se. Douglas Scott Broyles, Amy Elizabeth Ray, Assistant United States Attorneys, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Brian Taft Eddie appeals the district court's order denying his motion for sentence reduction under 18 U.S.C. § 3582(c)(2) (2006). Eddie contends that he was entitled to a reduction under Amendment 706 of the U.S. Sentencing Guidelines Manual ("USSG"), which lowered the base offense levels for drug offenses involving cocaine base. See USSG § 2D1.1(c) (2007 & Supp. 2008); USSG App C. Amend. 706. Because Eddie was sentenced on the basis of his status as a career offender, we find that the district court did not abuse its discretion in denying Eddie's motion. See United States v. Sharkey, 543 F.3d 1236, 1238-39 (10th Cir. 2008); United States v. Moore, 541 F.3d 1323, 1330 (11th Cir. 2008); United States v. Thomas, 524 F.3d 889, 889-90 (8th Cir. 2008).

Accordingly, we deny Eddie's motion to appoint counsel and affirm the district court's order. United States v. Eddie, No. 3:01-cr-00004-FDW-3 (W.D.N.C. Apr. 16, 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