

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-6817

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

NAMOND EARL WILLIAMS, a/k/a Namond Brewington, a/k/a Tony
Smith,

Defendant - Appellant.

Appeal from the United States District Court for the District of
Maryland, at Baltimore. J. Frederick Motz, Senior District
Judge. (1:90-cr-00135-JFM-4)

Submitted: January 25, 2017

Decided: February 9, 2017

Before NIEMEYER and KEENAN, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

William B. Norman, NORMAN & TAYEH, LLC, Cleveland, Ohio, for
Appellant. Rod J. Rosenstein, United States Attorney, Debra L.
Dwyer, Assistant United States Attorney, Baltimore, Maryland,
for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Namond Earl Williams appeals the district court's orders granting Williams a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2) (2012) and denying his motion for reconsideration, in which he advocated for a further reduction. On appeal, Williams argues that the district court may not impose a sentence above an amended Guidelines range in a § 3582(c)(2) proceeding; the procedure adopted by the court to adjudicate sentence reductions following Amendment 782 to the Guidelines violated his right to due process of the law; the district court's failure to notify him of its intention to impose a sentence above the amended Guidelines range was error; and the court failed to properly consider his motion for reconsideration.

We review an order granting or denying a § 3582(c)(2) motion for abuse of discretion. See United States v. Goines, 357 F.3d 469, 478 (4th Cir. 2004). We have thoroughly reviewed the record and conclude that the court did not abuse its discretion or violate Williams' right to due process in reducing his sentence pursuant to § 3582(c)(2). In addition, as the district court was without authority to reconsider its ruling in a § 3582(c)(2) proceeding, the court correctly denied Williams' motion for reconsideration. See United States v. Goodwyn, 596 F.3d 233, 235-36 (4th Cir. 2010).

Accordingly, we affirm the district court's orders. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED