

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-6393

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DAVIEYON DEVELLE HOPKINS,

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-00002-FDW-1)

Submitted: November 14, 2023

Decided: December 28, 2023

Before QUATTLEBAUM, RUSHING, and HEYTENS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Davieyon Develle Hopkins, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Davieyon Develle Hopkins appeals the district court's order denying his renewed motion for a sentence reduction under [18 U.S.C. § 3582\(c\)\(1\)\(B\)](#), and § 404(b) of the First Step Act of 2018, Pub. L. No. 115-391, [132 Stat. 5194, 5222](#). The district court ruled that it could not entertain Hopkins' renewed motion because he previously filed a First Step Act motion that the court denied after "a complete review . . . on the merits." First Step Act, § 404(c), 132 Stat. at 5222. We discern no error in the district court's ruling. *See United States v. Goodwin*, [37 F.4th 948, 952](#) (4th Cir. 2022) (reviewing de novo district court's determination that defendant was ineligible for First Step Act relief under § 404(c)). Accordingly, we affirm the district court's order. 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