

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-7638

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

MALCOLM DOWDY,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Terrence W. Boyle, District Judge. (5:05-cr-00013-BO)

Submitted: March 29, 2007

Decided: April 4, 2007

Before MOTZ, TRAXLER, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Malcolm Dowdy, Appellant Pro Se. Kimberly Ann Moore, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Malcolm Dowdy appeals from the district court's order denying his motion for modification of his sentence, in which he sought an order from the district court compelling the government to file a Fed. R. Crim. P. 35(b) motion based on his assistance to the government. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Dowdy, No. 5:05-cr-00013-BO (E.D.N.C. Aug. 23, 2006). 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