

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-6304

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

PRESTON MCRAE SMALLS, a/k/a Preston Mitchell,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Charleston. David C. Norton, District Judge. (2:98-cr-01240-DCN)

Submitted: October 11, 2007

Decided: October 16, 2007

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

Affirmed by unpublished per curiam opinion.

Preston McRae Smalls, Appellant Pro Se. Sean Kittrell, OFFICE OF THE UNITED STATES ATTORNEY, Charleston, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Preston McRae Smalls appeals the district court's order denying his motion to modify his sentence. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See United States v. Smalls, No. 2:98-cr-01240-DCN (D.S.C. filed Feb. 15, 2007 & entered Feb. 16, 2007). 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