

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-7266**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

LINCOLN MONROE BROCK,

Defendant - Appellant.

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Appeal from the United States District Court for the Middle District of North Carolina, at Durham. James A. Beaty, Jr., Chief District Judge. (1:03-cr-00429-JAB)

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Submitted: January 17, 2008

Decided: January 24, 2008

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Before TRAXLER, SHEDD, and DUNCAN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Lincoln Monroe Brock, Appellant Pro Se. Randall Stuart Galyon, Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Lincoln Monroe Brock appeals the district court's order denying his Fed. R. Crim. Pro. 33 motion for a new trial predicated on newly discovered evidence. We have reviewed the record and find the district court did not abuse its discretion in denying Brock's motion. Accordingly, we affirm for the reasons stated by the district court. United States v. Brock, No. 1:03-cr-00429-JAB (M.D.N.C., Aug. 10, 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