

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-7611

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DUKE WILLIAM LINZY,

Defendant - Appellant.

Appeal from the United States District Court for the Southern District of West Virginia, at Charleston. Joseph R. Goodwin, Chief District Judge. (2:06-cr-00160)

Submitted: July 22, 2008

Decided: July 24, 2008

Before WILKINSON, MOTZ, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Duke William Linzy, Appellant Pro Se. Monica Kaminski Schwartz, OFFICE OF THE UNITED STATES ATTORNEY, Charleston, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Duke William Linzy appeals the district court's order denying his motion to reconsider his sentence, construed as filed under Fed. R. Crim. P. 35(a). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Linzy, No. 2:06-cr-00160 (S.D.W. Va. Oct. 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