

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-4445**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ROBERT EARL MALLORY, a/k/a Mally,

Defendant - Appellant.

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Appeal from the United States District Court for the District of South Carolina, at Greenville. Henry F. Floyd, District Judge. (6:04-cr-01066-HFF-5)

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Submitted: February 11, 2009

Decided: March 12, 2009

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Before TRAXLER, GREGORY, and SHEDD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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David W. Plowden, Assistant Federal Public Defender, Greenville, South Carolina, for Appellant. W. Walter Wilkins, United States Attorney, A. Lance Crick, Assistant United States Attorney, Greenville, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robert Earl Mallory appeals the district court's order granting his motion filed pursuant to 18 U.S.C. § 3582(c)(2) (2006), and reducing his sentence from sixty-five to fifty-two months of imprisonment. We have reviewed the parties' briefs, the district court's order, and the joint appendix and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Mallory, No. 6:04-cr-01066-HFF-5 (D.S.C. Apr. 10, 2008); see United States v. Dunphy, 551 F.3d 247 (4th Cir. 2009). 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