

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6298

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ANTHONY MCCLAIN, a/k/a Ice, a/k/a New York,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Orangeburg. Cameron McGowan Currie, District Judge. (5:96-cr-00179-CMC-1)

Submitted: March 24, 2008

Decided: April 9, 2008

Before NIEMEYER and TRAXLER, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Anthony McClain, Appellant Pro Se. Christopher Todd Hagins, Nancy Chastain Wicker, Scarlett Anne Wilson, OFFICE OF THE UNITED STATES ATTORNEY, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Anthony McClain appeals the district court's order denying his motion under 18 U.S.C. § 3582(c)(2) (2000), seeking a reduction to his sentence based on an amendment to the Sentencing Guidelines. We have reviewed the record and find no reversible error. Accordingly, we find the district court did not abuse its discretion in denying the motion. See United States v. Goines, 357 F.3d 469, 478 (4th Cir. 2004) (motion under § 3582(c) "is subject to the discretion of the district court"); United States v. Legree, 205 F.3d 724, 727 (4th Cir. 2000). 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