

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 08-6410**

---

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

TYRONE LAMONT SMITH, a/k/a Blue, a/k/a Tyrone Eady,

Defendant - Appellant.

---

Appeal from the United States District Court for the Western District of Virginia, at Charlottesville. James P. Jones, Chief District Judge. (3:94-cr-00041-jpj-1)

---

Submitted: November 5, 2008

Decided: November 17, 2008

---

Before NIEMEYER, MICHAEL, and MOTZ, Circuit Judges.

---

Affirmed by unpublished per curiam opinion.

---

Tyrone Lamont Smith, Appellant Pro Se. Nancy Spodick Healey, Assistant United States Attorney, Charlottesville, Virginia, for Appellee.

---

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tyrone Lamont Smith appeals the district court's order denying his motion for reduction of sentence under 18 U.S.C. § 3582(c)(2) (2006). Smith argues that the district court erred by failing to reduce his sentence under Amendment 706 of the Guidelines, see U.S. Sentencing Guidelines Manual ("USSG") § 2D1.1(c) (2007 & Supp. 2008); USSG App. C, Amend. 706. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Smith, No. 3:94-cr-00041-jpj-1 (W.D. Va. Feb. 28, 2008). 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