

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6701

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MICHAEL D. STEPHENSON, a/k/a Little Mikey, a/k/a Mikey,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Newport News. Jerome B. Friedman, District Judge. (4:05-cr-00038-JBF-JEB-1)

Submitted: April 8, 2010

Decided: April 21, 2010

Before WILKINSON, MOTZ, and GREGORY, Circuit Judges.

Vacated and remanded by unpublished per curiam opinion.

Michael D. Stephenson, Appellant Pro Se. Eric Matthew Hurt, Assistant United States Attorney, Newport News, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael D. Stephenson appeals the district court's orders denying his motion filed pursuant to 18 U.S.C. § 3582(c)(2) (2006), and motions for clarification and reconsideration. In light of our recent decision in United States v. Stewart, 595 F.3d 197 (4th Cir. 2010), we vacate the district court's orders and remand for further proceedings consistent with Stewart. 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.

VACATED AND REMANDED