

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-6730**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JAMES PRESTON FRYE, a/k/a Jamie Frye,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. James R. Spencer, Chief District Judge. (3:01-cr-00167-JRS-1)

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Submitted: March 25, 2009

Decided: April 3, 2009

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Before MOTZ, TRAXLER, and SHEDD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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James Preston Frye, Appellant Pro Se. Brian Ronald Hood, Assistant United States Attorney, Richmond, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James Preston Frye appeals the district court's order denying his motion for a sentence reduction under 18 U.S.C. § 3582(c)(2) (2000). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Frye, No. 3:01-cr-00167-JRS-1 (E.D. Va. Apr. 23, 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