

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-6760**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MORRIS EUGENE HAYES,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Rebecca Beach Smith, District Judge. (2:94-cr-00163-RBS-FBS)

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Submitted: August 14, 2008

Decided: August 21, 2008

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Before MICHAEL, Circuit Judge, and WILKINS and HAMILTON, Senior Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Morris Eugene Hayes, Appellant Pro Se. Laura Pellati Tayman, Assistant United States Attorney, Newport News, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Morris Eugene Hayes appeals the district court's orders denying his motion for reduction of sentence pursuant to 18 U.S.C. § 3582(c) (2000), and denying reconsideration. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Hayes, No. 2:94-cr-00163-RBS-FBS (E.D. Va. filed Apr. 9, 2008 & entered May 5, 2008; entered Apr. 23, 2008 & filed Apr. 24, 2008). We deny Hayes' motion for appointment of counsel. 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