

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6767

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MARCEL BARNES, a/k/a Larry Kevin Brown,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Rebecca Beach Smith, District Judge. (2:94-cr-00052-RBS-3)

Submitted: June 19, 2008

Decided: July 10, 2008

Before WILKINSON, NIEMEYER, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Marcel Barnes, Appellant Pro Se. Laura Marie Everhart, Assistant United States Attorney, Norfolk, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Marcel Barnes appeals the district court's orders denying Barnes' 18 U.S.C. § 3582(c)(2) (2000) motion and clarifying that order. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Barnes, No. 2:94-cr-00052-RBS-3 (E.D. Va. Apr. 9, 2008 & May 14, 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