UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6800

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOHN LENWOOD WRIGHT, a/k/a June Bug,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Claude M. Hilton, Senior District Judge. (1:02-cr-00539-CMH-1)

Submitted: February 19, 2009 Decided: February 23, 2009

Before WILKINSON, DUNCAN, and AGEE, Circuit Judges.

Affirmed by unpublished per curiam opinion.

John Lenwood Wright, Appellant Pro Se. Kimberly Ann Riley, Assistant United States Attorney, Alexandria, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John Lenwood Wright appeals the district court's denial of his motion for reconsideration of the district court's order granting his 18 U.S.C. § 3582(c)(2) (2006) motion for reduction of sentence and reducing his sentence to 135 months' imprisonment. Wright contends that he is eligible for a full resentencing, beyond the limited sentence reduction granted him by the district court under Amendment 706 to the U.S. Sentencing Guidelines Manual ("USSG"), which reduced the base offense levels for drug offenses involving cocaine base. See USSG § 2D1.1(c) (2008); USSG App. C Amend. 706. Wright argues that USSG § 1B1.10, which limits the extent by which a court may reduce a defendant's sentence under 18 U.S.C. § 3582, runs afoul of the Supreme Court's remedial holding in United States v. Booker, 543 U.S. 220 (2005). However, we expressly rejected this contention in United States v. Dunphy, 551 F.3d 247, 252-55 (4th Cir. 2009). We have reviewed the record and find that the district court did not abuse its discretion in declining to grant a further reduction in Wright's sentence. Accordingly, we affirm the judgment of the district court. 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