

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6808

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DOROTHY ANN OILER,

Defendant - Appellant.

Appeal from the United States District Court for the Southern District of West Virginia, at Beckley. Thomas E. Johnston, District Judge. (5:06-cr-00098-2)

Submitted: September 16, 2008 Decided: September 23, 2008

Before MOTZ, TRAXLER, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Michael Thane Clifford, Charleston, West Virginia, for Appellant.
Charles T. Miller, United States Attorney, John Lanier File, John J. Frail, Assistant United States Attorneys, Charleston, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Dorothy Ann Oiler appeals the district court's order denying her request for re-sentencing, but granting her motion for reduction of sentence under 18 U.S.C. § 3582(c)(2) (2000). We have reviewed the record and find no reversible error. Accordingly, although we grant leave to proceed in forma pauperis, we affirm for the reasons stated by the district court. See United States v. Oiler, No. 5:06-cr-00098-2 (S.D.W. Va. May 7, 2008). We grant counsel's motion to withdraw. 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