

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-6863**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

GARY MICHAEL LUCAS,

Defendant - Appellant.

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Appeal from the United States District Court for the Southern District of West Virginia, at Charleston. Joseph R. Goodwin, Chief District Judge. (2:05-cr-00055-2)

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Submitted: July 31, 2008

Decided: August 11, 2008

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Before NIEMEYER, TRAXLER, and GREGORY, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Gary Michael Lucas, Appellant Pro Se. John J. Frail, Assistant United States Attorney, Charleston, West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Gary Michael Lucas appeals the district court's order denying his motion for modification of sentence, 18 U.S.C.A. § 3582(c)(2) (West 2000 & Supp. 2008). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Lucas, No. 2:05-cr-00055-2 (S.D.W. 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