

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-6933**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ANTHONY MARCELLUS BAKER,

Defendant - Appellant.

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Appeal from the United States District Court for the District of Maryland, at Greenbelt. Peter J. Messitte, District Judge. (8:94-cr-00361-PJM-l; 8:08-cv-01102-PJM-l)

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Submitted: August 21, 2008

Decided: August 27, 2008

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Before WILLIAMS, Chief Judge, and KING and DUNCAN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Anthony Marcellus Baker, Appellant Pro Se. Rod J. Rosenstein, United States Attorney, Baltimore, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Anthony Marcellus Baker appeals the district court's orders 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. Baker, Nos. 8:94-cr-00361-PJM-l; 8:08-cv-01102-PJM-l (D. Md. filed May 1, 2008 and entered May 2, 2008; May 9, 2008).<sup>\*</sup> 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

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<sup>\*</sup>To the extent that Baker seeks to raise his claims by way of a 28 U.S.C. § 2255 (2000) motion, the district court properly noted that he must first obtain authorization from this court pursuant to 28 U.S.C. § 2244 (2000).