

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-7180

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RAYMOND DONALD CURRY,

Defendant - Appellant.

Appeal from the United States District Court for the Northern District of West Virginia, at Martinsburg. John Preston Bailey, Chief District Judge. (3:04-cr-00045-JPB-1)

Submitted: March 17, 2009

Decided: March 20, 2009

Before TRAXLER, KING, and AGEE, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Brian Christopher Crockett, Assistant Federal Public Defender, Martinsburg, West Virginia, for Appellant. Paul Thomas Camilletti, Assistant United States Attorney, Martinsburg, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Raymond Donald Curry appeals a district court's order granting in part and denying in part his motion for a sentence reduction under 18 U.S.C. § 3582(c) (2006) based on the crack cocaine amendments to the Sentencing Guidelines. The district court reduced Curry's sentence to the minimum of the amended Guidelines range. Curry asserts that the district court erred in failing to further reduce his sentence. Curry's argument is foreclosed by this court's decision in United States v. Dunphy, 551 F.3d 247 (4th Cir. 2009). Accordingly, we affirm the district court's order. 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