

**UNPUBLISHED**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-7298**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

STEVEN MCKELVEY, a/k/a Custard, C,

Defendant - Appellant.

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Appeal from the United States District Court for the District of South Carolina, at Greenville. G. Ross Anderson, Jr., District Judge. (6:00-cr-00380-GRA-1)

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Submitted: December 16, 2008

Decided: January 13, 2009

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Before NIEMEYER, MICHAEL, and MOTZ, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Steven McKelvey, Appellant Pro Se. Elizabeth Jean Howard, Assistant United States Attorney, Greenville, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Steven McKelvey appeals the district court's order denying his motion to modify his sentence pursuant to 18 U.S.C. § 3582 (2006). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. McKelvey, No. 6:00-cr-00380-GRA-1 (D.S.C. July 15, 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