

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-7845

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

WAVERLY JERMAINE JORDAN, a/k/a Waverley Jermaine Jordan,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of Virginia, at Harrisonburg. Glen E. Conrad, District Judge. (5:04-cr-00025-gec-bwc)

Submitted: July 27, 2009

Decided: August 24, 2009

Before WILKINSON, NIEMEYER, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Matthew M. Robinson, ROBINSON & BRANDT, P.S.C., Covington, Kentucky, for Appellant. Julia C. Dudley, United States Attorney, Jean B. Hudson, Assistant United States Attorney, Charlottesville, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Waverly Jermaine Jordan appeals the district court's order granting his motion to reduce his sentence pursuant to 18 U.S.C. § 3582(c)(2) (2006). We have reviewed the parties' briefs on appeal, the joint appendix, and the supplemental joint appendix and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Jordan, No. 5:04-cr-00025-gec-bwc (W.D. Va. July 8, 2008); see also United States v. Dunphy, 551 F.3d 247, 251-53 (4th Cir.) (holding that "proceedings under § 3582(c)(2) do not constitute a full resentencing of the defendant" and rejecting appellant's argument that United States v. Booker, 543 U.S. 220 (2005), should apply in § 3582 proceedings), cert. denied, 129 S. Ct. 2401 (2009). 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