

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-8497

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOSE GUTIERREZ, a/k/a Pappy, a/k/a Cuban,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Aiken. Cameron McGowan Currie, District Judge. (1:91-cr-00189-CMC-1)

Submitted: April 16, 2009

Decided: April 24, 2009

Before WILKINSON, NIEMEYER, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Jose Gutierrez, Appellant Pro Se. Robert Claude Jendron, Jr., Assistant United States Attorney, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jose Gutierrez appeals the district court's order denying his motion for reconsideration of its previous order denying his motion for reduction of sentence pursuant to 18 U.S.C. § 3582(c) (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. Gutierrez, No. 1:91-cr-00189-CMC-1 (D.S.C. Nov. 24, 2008). See United States v. Dunphy, 551 F.3d 247 (4th Cir. 2009). We deny Gutierrez's motion for appointment of counsel. 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