

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-6353

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RONALD PAYNE, a/k/a Raheem,

Defendant - Appellant.

No. 09-7099

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RONALD PAYNE, a/k/a Raheem,

Defendant - Appellant.

Appeals from the United States District Court for the District of South Carolina, at Columbia. Joseph F. Anderson, Jr., District Judge. (3:01-cr-00506-JFA-1)

Submitted: September 29, 2009

Decided: October 22, 2009

Before WILKINSON, MICHAEL, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Ronald Payne, Appellant Pro Se. Stacey Denise Haynes, Assistant United States Attorney, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In Case No. 09-6353, Ronald Payne appeals the district court's order denying his motion for a sentence reduction under 18 U.S.C. § 3582(c)(2) (2006) and denying his motion to compel the Government to move for a sentence reduction pursuant to Fed. R. Crim. P. 35(b). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Payne, No. 3:01-cr-00506-JFA-1 (D.S.C. Feb. 17, 2009).

In Case No. 09-7099, which has been consolidated with No. 09-6353, Payne appeals the district court's docket order denying his motion to compel the court reporter to produce a transcript of his hearing prior to June 1, 2009. We uphold the district court's denial of the motion to compel. Payne was not entitled to dictate the timing for the preparation of the transcript and has failed to show that he was prejudiced by any delay in preparation.

Accordingly, we affirm the district court's orders in both cases. 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