

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-6896

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JERRY GERARD PARSON, a/k/a Jarue,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Statesville. Richard L. Voorhees, District Judge. (5:04-cr-00018-RLV-CH-11)

Submitted: February 18, 2010

Decided: February 23, 2010

Before WILKINSON, MICHAEL, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Jerry Gerard Parson, Appellant Pro Se. Amy Elizabeth Ray, Assistant United States Attorney, Asheville, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jerry Gerard Parson appeals the district court's order denying his motion for reduction of sentence pursuant to 18 U.S.C. § 3582(c) (2006), and its subsequent order denying his motion for reconsideration. The district court granted Parson's motion to file an untimely notice of appeal as to its order denying reconsideration, but denied it as to its order denying his motion for reduction of sentence. Parson did not appeal the district court's order disposing of his motion to file an untimely notice of appeal, and thus only the district court's order denying reconsideration is properly before us. We have reviewed the record and find no reversible error. Accordingly, we affirm. United States v. Parson, No. 5:04-cr-00018-RLV-CH-11 (W.D.N.C. Apr. 17, 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