

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-7214**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

HERNANDEZ DANIEL,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Richard L. Williams, Senior District Judge. (3:08-CR-00248-RLW-1)

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Submitted: September 29, 2009

Decided: October 8, 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Affirmed by unpublished per curiam opinion.

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Hernandez Daniel, Appellant Pro Se. John Staige Davis, V, Assistant United States Attorney, Richmond, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Hernandez Daniel appeals the district court's order denying his motion to amend the sentence. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See United States v. Daniel, No. 3:08-CR-00248-RLW-1 (E.D. Va. June 15, 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