

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-7416

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

LAMONT DAVID SMITH,

Defendant - Appellant.

Appeal from the United States District Court for the Northern District of West Virginia, at Clarksburg. Frederick P. Stamp, Jr., Senior District Judge. (1:95-cr-00036-FPS-JSK-1)

Submitted: September 1, 2009

Decided: October 14, 2009

Before NIEMEYER, MOTZ and AGEE, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Lamont David Smith, Appellant Pro Se. Robert Hugh McWilliams, Jr., John Castle Parr, Assistant United States Attorneys, Wheeling, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Lamont David Smith appeals the district court's order denying his 18 U.S.C. § 3582(c)(2) (2006) motion for reduction of sentence. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Smith, No. 1:95-cr-00036-FPS-JSK-1 (N.D.W. Va. July 21, 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