

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-7573

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ANDRE R. SMITH, a/k/a Erco,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. James R. Spencer, Chief District Judge. (3:94-cr-00079-JRS-1)

Submitted: March 23, 2011

Decided: April 8, 2011

Before MOTZ and KING, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Andre R. Smith, Appellant Pro Se. Stephen Wiley Miller, Assistant United States Attorney, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Andre R. Smith appeals the district court's order that granted his 18 U.S.C. § 3582(c)(2) (2006) motion for reduction of sentence and reduced his total sentence from 270 months to 246 months of imprisonment. We have reviewed the record and find no reversible error.

We therefore affirm the sentence imposed by the district court. 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