

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-7768**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

TIMOTHY GERRELL MCDONALD,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Greenville. Malcolm J. Howard, Senior District Judge. (7:03-cr-00029-H-1)

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Submitted: November 19, 2009

Decided: December 4, 2009

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Before MOTZ, GREGORY, and SHEDD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Timothy Gerrell McDonald, Appellant Pro Se. J. Frank Bradsher, OFFICE OF THE UNITED STATES ATTORNEY, Rudolf A. Renfer, Jr., Assistant United States Attorney, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Timothy Gerrell McDonald appeals the district court's order denying his 18 U.S.C. § 3582(c)(2) (2006) motion. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. McDonald, No. 7:03-cr-00029-H-1 (E.D.N.C. Aug. 31, 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