

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-6364

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

KEVIN LAMONT WALKER,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Newport News. Rebecca Beach Smith, District Judge. (4:05-cr-00005-RBS-JEB-1)

Submitted: August 26, 2010

Decided: September 1, 2010

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

Affirmed by unpublished per curiam opinion.

Kevin Lamont Walker, Appellant Pro Se. Howard Jacob Zlotnick, Assistant United States Attorney, Newport News, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kevin Lamont Walker seeks to appeal the district court's order denying his Fed. R. Civ. P. 60(b) motion for reconsideration of that court's denial of his § 3582 motion. This Court reviews the denial of a motion for relief from judgment pursuant to Rule 60(b) for an abuse of discretion. MLC Automotive, LLC v. Town of Southern Pines, 532 F.3d 269, 277 (4th Cir. 2008). This Court may not review the merits of the underlying order, but instead "may only review the denial of the motion with respect to the grounds set forth in Rule 60(b)." Id. (internal quotation marks omitted).

Having reviewed the record, we conclude that the district court did not abuse its discretion and affirm the district court order denying the R. 60(b) motion. United States v. Walker, No. 4:05-cr-00005-RBS-JEB-1 (E.D. Va. Feb. 12, 2010). 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