

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-6760**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

EDWIN ARNOLDO REYES,

Defendant - Appellant.

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Appeal from the United States District Court for the District of Maryland, at Greenbelt. Peter J. Messitte, Senior District Judge. (8:01-cr-00533-PJM-20)

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Submitted: November 18, 2010

Decided: November 30, 2010

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Before SHEDD and AGEE, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Edwin Arnaldo Reyes, Appellant Pro Se. Deborah A. Johnston, Assistant United States Attorney, Greenbelt, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Edwin Arnaldo Reyes appeals from the district court's order denying his motion to construe his 18 U.S.C. § 3582(c) (2006) motion as a Federal Rule of Civil Procedure 60(b) motion. In his informal brief, Reyes challenges an earlier order denying his § 3582 motion. Assuming that Reyes has properly appealed this order, we affirm for the reasons stated by the district court. United States v. Reyes, No. 8:01-cr-00533-PJM-20 (D. Md. Mar. 8, 2010). We deny Reyes' motion for appointment of counsel. 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