

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-6820

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

TIMOTHY BERNARD SANCHIOUS,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Richard L. Williams, Senior District Judge. (3:04-cr-00233-RLW-1)

Submitted: August 26, 2010

Decided: September 3, 2010

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

Affirmed by unpublished per curiam opinion.

Timothy Bernard Sanchious, 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Unpublished opinions are not binding precedent in this circuit.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:

Timothy Bernard Sanchious appeals the district court's order denying his motion for reconsideration of the denial of his 18 U.S.C. § 3582(c)(2) (2006) motion for a reduction in sentence. We affirm.

In United States v. Goodwyn, 596 F.2d 233, 235, we concluded that a district court is without jurisdiction to entertain a motion to alter or amend a judgment granting or denying relief on a § 3582(c) motion unless the motion to alter or amend was made to correct "an arithmetical, technical, or other clear error." Because Sanchious challenges the merits of the district court's decision in his motion to reconsider, we conclude that the district court lacked jurisdiction to hear the motion.

We therefore affirm the judgment of 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