

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-7109

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

EMMETT MADISON GRAHAM, JR.,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Wilmington. James C. Fox, Senior District Judge. (7:97-cr-00098-F-1)

Submitted: November 18, 2010

Decided: December 1, 2010

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

Affirmed by unpublished per curiam opinion.

Emmett Madison Graham, Jr., Appellant Pro Se. Michael Gordon James, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Emmett Madison Graham, Jr., appeals the district court's order denying his motion for correction/reduction of sentence under 18 U.S.C. § 3582(c)(2) (2006) or Fed. R. Crim. P. 52(b). We have reviewed the record and find no reversible error. Accordingly, we affirm. See 18 U.S.C. § 3582(c)(2) (permitting the court to reduce a sentence "in the case of a defendant who has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission.") 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