

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-7165

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RAJ KUMAR BANSAL, a/k/a The Old Man,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Claude M. Hilton, Senior District Judge. (1:07-cr-00177-CMH-1)

Submitted: January 18, 2011

Decided: January 26, 2011

Before NIEMEYER, DUNCAN, and AGEE, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Raj Kumar Bansal, Appellant Pro Se. Daniel Joseph Grooms, III, Assistant United States Attorney, Alexandria, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Appellant Raj Kumar Bansal appeals the district court's denial of his motion to reduce his sentence based on his assistance to the government. A district court may modify a defendant's sentence only as provided by statute. See 18 U.S.C. § 3582(c) (2006) (providing circumstances in which a term of imprisonment can be altered once imposed); United States v. Dunphy, 551 F.3d 247, 250 (4th Cir. 2009). Because this case does not involve a motion by the Director of the Bureau of Prisons or a Federal Rule of Criminal Procedure 35 motion by the United States Attorney, we conclude that the district court correctly determined that it lacked the authority to alter the sentence imposed. Accordingly, we affirm its judgment, and dismiss Bansal's motion for a expedited ruling on the existing pleadings as moot. 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