

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-6007

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MICHAEL JUSTIN SMITH,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Raleigh. James C. Fox, Senior
District Judge. (5:05-cr-00207-F-1)

Submitted: May 12, 2011

Decided: May 20, 2011

Before NIEMEYER, WYNN, and DIAZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Michael Justin Smith, Appellant Pro Se. S. Katherine Burnette,
Michael Gordon James, OFFICE OF THE UNITED STATES ATTORNEY,
Barbara Dickerson Kocher, Jennifer P. May-Parker, Assistant
United States Attorneys, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael Justin Smith appeals the district court's order denying his self-styled "Motion to Defer Payment Schedule" of his court-ordered criminal monetary penalties. Because the district court was without authority to grant the relief sought by Smith in his motion to defer, we affirm the district court's order. See United States v. Smith, No. 5:05-cr-00207-F-1 (E.D.N.C. Nov. 22, 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