

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 12-7219**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

TONY BERNARD ALEXANDER,

Defendant - Appellant.

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Appeal from the United States District Court for the Western  
District of North Carolina, at Charlotte. Max O. Cogburn, Jr.,  
District Judge. (3:95-cr-00178-MOC-1)

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Submitted: November 20, 2012

Decided: November 27, 2012

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Before TRAXLER, Chief Judge, and SHEDD and FLOYD, Circuit  
Judges.

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Affirmed by unpublished per curiam opinion.

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Tony B. Alexander, Appellant Pro Se. Kelli Hamby Ferry,  
Assistant United States Attorney, Charlotte, North Carolina; Amy  
Elizabeth Ray, Assistant United States Attorney, Asheville,  
North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tony B. Alexander appeals from the district court's order granting in part his motion for reduction of sentence pursuant to 18 U.S.C. § 3582(c) (2006).<sup>\*</sup> We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Alexander, No. 3:95-cr-00178-MOC-1 (W.D.N.C. June 8, 2012); see United States v. Dunphy, 551 F.3d 247, 257 (4th Cir. 2009) (holding that § 3582(c) proceeding is not a resentencing). 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

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<sup>\*</sup> Although the district court granted Alexander's § 3582 motion, the reduction granted by the court did not reduce Alexander's sentence to the full extent he requested.