

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-7498

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CHEUKMA KENYATA SANDERS, a/k/a Kuma,

Defendant - Appellant.

Appeal from the United States District Court for the Western
District of North Carolina, at Statesville. Richard L.
Voorhees, District Judge. (5:07-cr-00050-RLV-CH-13)

Submitted: December 13, 2012

Decided: December 18, 2012

Before MOTZ, WYNN, and FLOYD, Circuit Judges.

Affirmed as modified by unpublished per curiam opinion.

Cheukma Kenyata Sanders, Appellant Pro Se. Thomas A. O'Malley,
OFFICE OF THE UNITED STATES ATTORNEY, Charlotte, North Carolina;
Amy Elizabeth Ray, Assistant United States Attorney, Asheville,
North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Cheukma Kenyata Sanders appeals the district court's order denying his 18 U.S.C. § 3582(c)(2) (2006) motion. We have reviewed the record and find no reversible error. However, we modify the district court's opinion to note that the motion is denied because the offense level did not change, and not due to career offender status. Accordingly, we affirm on the district court reasoning as modified. United States v. Sanders, No. 5:07-cr-00050-RLV-CH-13 (W.D.N.C. Aug. 30, 2012). 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 AS MODIFIED