UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-7620

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

REGINALD LEON EDWARDS, a/k/a Reginald L. Edwards,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of Virginia, at Lynchburg. Norman K. Moon, Senior District Judge. (6:07-cr-00014-NKM-1)

Submitted: December 20, 2012 Decided: December 27, 2012

Before KING and DUNCAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Reginald Leon Edwards, Appellant Pro Se. Donald Ray Wolthuis, Assistant United States Attorney, Roanoke, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Reginald Leon Edwards appeals the district court's order denying his 18 U.S.C. § 3582(c)(2) (2006) motion for a sentence reduction based on Amendment 750 to the crack cocaine Sentencing Guidelines. We review the district court's decision for abuse of discretion; however, "[w]e review de novo . . . a court's conclusion on the scope of its legal authority under § 3582(c)(2)." United States v. Munn, 595 F.3d 183, 186 (4th Cir. 2010). As the district court properly found, Edwards was sentenced pursuant to the statutory mandatory minimum term of imprisonment and therefore is not eligible for a reduction via § 3582(c)(2). See id. at 187 ("[A] defendant who was convicted of a crack offense but sentenced pursuant to a mandatory statutory minimum sentence is ineligible for a reduction under § 3582(c)(2).") (citing United States v. Hood, 556 F.3d 226, 235–36 (4th Cir. 2009)). Accordingly, we grant leave to proceed in forma pauperis, and we affirm for the reasons stated by the district court. United States v. Edwards, No. 6:07-cr-00014-NKM-1 (W.D. Va. Sept. 11, 2012).

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED