

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-7672

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ERIC JAY MINOR,

Defendant - Appellant.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. Glen E. Conrad, Chief
District Judge. (7:06-cr-00107-GEC-3)

Submitted: January 22, 2013

Decided: January 25, 2013

Before WILKINSON, NIEMEYER, and THACKER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Eric Jay Minor, Appellant Pro Se. Ronald Andrew Bassford,
Assistant United States Attorney, Roanoke, Virginia, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Eric Jay Minor appeals the district court's order denying his 18 U.S.C. § 3582(c)(2) (2006) motion for reduction in his sentence based on Amendment 750 to the U.S. Sentencing Guidelines Manual (2010). We conclude that the district court properly determined that Minor was ineligible for a sentence reduction because the sentencing range for his crack cocaine offense was determined by the applicable statutory mandatory minimum, not a calculation of the drug quantity attributable to Minor, and thus was not impacted by Amendment 750. See United States v. Munn, 595 F.3d 183, 187 (4th Cir. 2010) ("[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)."). Accordingly, we affirm the district court's order. See United States v. Minor, No. 7:06-cr-00107-GEC-3 (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