

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-7676

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

OSCAR LEON HERNANDEZ,

Defendant - Appellant.

Appeal from the United States District Court for the Northern District of West Virginia, at Martinsburg. John Preston Bailey, Chief District Judge. (3:96-cr-00003-JPB-1)

Submitted: December 13, 2012

Decided: December 19, 2012

Before MOTZ, WYNN, and FLOYD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Oscar Leon Hernandez, Appellant Pro Se. Paul Thomas Camilletti, Assistant United States Attorney, Martinsburg, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Oscar Leon Hernandez seeks to appeal the district court's order granting his motion for reconsideration of the denial of his 18 U.S.C. § 3582(c)(2) (2006) motion for a reduction of sentence, but denying relief on reconsideration. The district court lacked the authority to consider Hernandez's motion for reconsideration. See United States v. Goodwyn, 596 F.3d 233, 236 (4th Cir. 2010). We therefore affirm the court's order. 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