

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-7741

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CHARLES D. IZAC,

Defendant - Appellant.

Appeal from the United States District Court for the Northern District of West Virginia, at Martinsburg. John Preston Bailey, Chief District Judge. (3:02-cr-00058-JPB-JSK-1)

Submitted: February 21, 2013

Decided: February 25, 2013

Before AGEE and DAVIS, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Charles D. Izac, 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Unpublished opinions are not binding precedent in this circuit.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:

Charles D. Izac appeals the district court's order denying relief on his motion for review of his sentence. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Izac, No. 3:02-cr-00058-JPB-JSK-1 (N.D.W. Va. Sept. 5, 2012). To the extent that Izac intends for his motion for review of his sentence to be considered by this court pursuant to 18 U.S.C. § 3742(A), we deny the motion as untimely.* 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

* Although the appeal period in criminal cases is not jurisdictional, but rather a claim-processing rule, Bowles v. Russell, 551 U.S. 205, 209-14 (2007); United States v. Urutyan, 564 F.3d 679, 685 (4th Cir. 2009), where, as here, review is sought more than five years after the entry of the judgment, we may exercise our inherent power to dismiss it. See United States v. Mitchell, 518 F.3d 740, 744, 750 (10th Cir. 2008).