

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-7939

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

KATHRYN ANN HEMETEK,

Defendant - Appellant.

Appeal from the United States District Court for the Southern District of West Virginia, at Huntington. Robert C. Chambers, Chief District Judge. (3:08-cr-00198-1; 3:11-cv-00579)

Submitted: May 30, 2013

Decided: June 10, 2013

Before NIEMEYER and GREGORY, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Mary Lou Newberger, Federal Public Defender, Jonathan D. Byrne, Appellate Counsel, George H. Lancaster, Jr., Assistant Federal Public Defender, Charleston, West Virginia, for Appellant. R. Booth Goodwin II, United States Attorney, Larry R. Ellis, Assistant United States Attorney, Charleston, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kathryn Ann Hemetek appeals the district court's order accepting the recommendation of the magistrate judge and denying relief on her 28 U.S.C.A. § 2255 (West Supp. 2012) motion, and denying her motion to amend. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See United States v. Hemetek, No. 3:08-cr-00198-1 (S.D.W. Va. Sept. 6, 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