

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 13-6237**

---

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DURRELL TOPPIN, a/k/a Smiles,

Defendant - Appellant.

---

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. James C. Cacheris, Senior District Judge. (1:07-cr-00013-JCC-3)

---

Submitted: May 30, 2013

Decided: June 5, 2013

---

Before SHEDD, DIAZ, and THACKER, Circuit Judges.

---

Affirmed by unpublished per curiam opinion.

---

Durrell Toppin, Appellant Pro Se. Lawrence Joseph Leiser, Michael Edward Rich, Assistant United States Attorneys, Jessica R. Hertz, OFFICE OF THE UNITED STATES ATTORNEY, Alexandria, Virginia, for Appellee.

---

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Durrell Toppin appeals the district court's order construing his motion as seeking relief under 18 U.S.C. § 3582(c)(2) (2006) and denying the motion. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Toppin, No. 1:07-cr-00013-JCC-3 (E.D. Va. Jan. 9, 2013). 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