

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 14-6023**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

SPENCER PETERS, a/k/a Smoke,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Robert E. Payne, Senior District Judge. (3:08-cr-00186-REP-2)

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Submitted: June 19, 2014

Decided: June 23, 2014

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Before NIEMEYER, MOTZ, and KEENAN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Spencer Peters, Appellant Pro Se. Peter Sinclair Duffey, Assistant United States Attorney, Richmond, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Spencer Peters appeals the district court's order denying his 18 U.S.C. § 3582(c)(2) (2012) motion for a reduction of sentence. We have reviewed the record and find no reversible error. We need not address whether the district court erred in finding Peters ineligible for a sentence reduction under Amendment 750 to the Sentencing Guidelines. The district court alternatively held that, even if Peters were eligible, it would decline to grant such a reduction in view of "the nature and extent of the offense conduct and the safety risk that the defendant poses to the public." Peters does not challenge this aspect of the district court's decision on appeal, and we conclude that the court did not abuse its discretion in denying the requested relief. See United States v. Smalls, 720 F.3d 193, 195 (4th Cir. 2013) ("Whether to reduce a sentence and to what extent is a matter within the court's discretion.") 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