

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 16-6439**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

NELSON RAFAEL ZAPATA-VICENTE,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. James R. Spencer, Senior District Judge. (3:01-cr-00061-JRS-1)

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Submitted: June 23, 2016

Decided: June 29, 2016

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Before MOTZ, KING, and WYNN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Nelson Rafael Zapata-Vicente, Appellant Pro Se. Angela Mastandrea-Miller, Robert E. Trono, Assistant United States Attorneys, Richmond, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Nelson Rafael Zapata-Vicente appeals the district court's order denying his 18 U.S.C. § 3582(c)(2) (2012) motion for a sentence reduction. We have reviewed the record and find no reversible error. Accordingly, we affirm substantially\* for the reasons stated by the district court. United States v. Zapata-Vicente, No. 3:01-cr-00061-JRS-1 (E.D. Va. Jan. 12, 2016). 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

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\* Although the district court mistakenly stated that Zapata-Vicente was held responsible for more than 450 kilograms of cocaine base, the record reveals that he was responsible for more than 450 kilograms of cocaine. Because the district court correctly concluded that Zapata-Vicente's Guidelines range remains unchanged under Amendment 782, we affirm the denial of relief.