

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-6834

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

FRANK ESQUIVEL,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Fox, Senior District Judge. (5:05-cr-00026-F-1)

Submitted: November 22, 2016

Decided: November 28, 2016

Before DIAZ and THACKER, Circuit Judges, and DAVIS, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Frank Esquivel, Appellant Pro Se. Jennifer P. May-Parker, Rudolf A. Renfer, Jr., Stephen Aubrey West, Assistant United States Attorneys, Kimberly Ann Moore, Seth Morgan Wood, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Frank Esquivel appeals the district court's orders denying relief on his 18 U.S.C. § 3582(c)(2) (2012) motion for reduction of sentence and denying his motion for reconsideration. We have reviewed the record and find that the district court did not abuse its considerable discretion in denying Esquivel's § 3582(c)(2) motion. Accordingly, we affirm the denial of § 3582(c)(2) relief on the reasoning of the district court. United States v. Esquivel, No. 5:05-cr-00026-F-1 (E.D.N.C. Apr. 13, 2016). Because the district court lacked jurisdiction to consider Esquivel's motion for reconsideration, we affirm the denial of that order. See United States v. Goodwyn, 596 F.3d 233, 234 (4th Cir. 2010) (holding that district court lacks authority to grant motion to reconsider ruling on § 3582(c)(2) motion). 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