

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-7202

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

SHANE FELLS, a/k/a Quasim Yusef Johnson, a/k/a Q,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Malcolm J. Howard, Senior District Judge. (3:94-cr-00046-H-1)

Submitted: December 20, 2016

Decided: December 22, 2016

Before GREGORY, Chief Judge, and WYNN and FLOYD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Shane Fells, Appellant Pro Se. David A. Bragdon, Matthew Fesak, Edward D. Gray, Assistant United States Attorneys, Lawrence Jason Cameron, Shailika S. Kotiya, Joshua Bryan Royster, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Shane Fells appeals the district court's order granting his 18 U.S.C. § 3582(c)(2) (2012) motion for a sentence reduction under Amendment 782.* We have reviewed the record and conclude that the district court did not abuse its discretion in declining to grant a larger reduction in Fells' sentence. See United States v. Mann, 709 F.3d 301, 304 (4th Cir. 2013) (standard of review); see also Dillon v. United States, 560 U.S. 817, 825-27 (2010) (explaining that § 3582(c)(2) proceeding is not full resentencing); United States v. Smalls, 720 F.3d 193, 195-96 (4th Cir. 2013) (recognizing that district court is presumed, absent contrary indication, to have considered relevant factors when ruling on § 3582(c)(2) motion). Accordingly, we affirm the district court's order. United States v. Fells, No. 3:94-cr-00046-H-1 (E.D.N.C. Aug. 30, 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

* Although the district court granted Fells' motion and sentenced Fells within the reduced amended Guidelines range, the reduction granted by the court was less than the reduction sought by Fells.