

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-7324

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JAMAILLE DEVON MIDGETTE,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Greenville. James C. Dever, III, Chief District Judge. (4:12-cr-00029-D-1)

Submitted: January 31, 2017

Decided: February 3, 2017

Before WILKINSON, KEENAN, and THACKER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Jamaille Devon Midgette, Appellant Pro Se. Laura Howard, Augustus D. Willis, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jamaille Devon Midgette appeals the district court's order denying his 18 U.S.C. § 3582(c)(2) (2012) motion. We have reviewed the record and conclude that the district court did not abuse its discretion in denying Midgette's motion. See United States v. Smalls, 720 F.3d 193, 195 (4th Cir. 2013). Accordingly, we affirm the district court's order. United States v. Midgette, No. 4:12-cr-00029-D-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 the court and argument would not aid the decisional process.

AFFIRMED