

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-6010

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RAYMOND STERN, a/k/a Cuz,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Baltimore.
James K. Bredar, District Judge. (1:08-cr-00439-JKB-1)

Submitted: May 9, 2017

Decided: June 1, 2017

Before DUNCAN and AGEE, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Raymond Stern, Appellant Pro Se. David Ira Salem, Assistant United States Attorney,
Greenbelt, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Raymond Stern appeals the district court's order denying his 18 U.S.C. § 3582(c)(2) (2012) motion for a sentence reduction. We review a district court's decision whether to reduce a sentence under § 3582(c)(2) for abuse of discretion, and a district court's ruling as to the scope of its legal authority under § 3582(c)(2) de novo. *United States v. Mann*, 709 F.3d 301, 304 (4th Cir. 2013). Here, the district court correctly concluded that Stern was not eligible for a sentence reduction. Because Stern was sentenced pursuant to a Fed. R. Crim. P. 11(c)(1)(C) agreement that specified the offense level but not the criminal history category or the advisory Guidelines range, and did not link the sentence to any particular Guidelines range, his sentence was based on the plea agreement and not a Guidelines range. *See United States v. May*, ___ F.3d ___. No. 15-7912, 2017 WL 1479288 (4th Cir. Apr. 25, 2017). We therefore affirm the district court's order. 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 in the decisional process.

AFFIRMED