

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 17-6090**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

QUALO MARTEZ LOWERY,

Defendant - Appellant.

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Appeal from the United States District Court for the Western District of North Carolina,  
at Charlotte. Robert J. Conrad, Jr., District Judge. (3:05-cr-00216-RJC-2)

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Submitted: May 25, 2017

Decided: May 31, 2017

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Before MOTZ, THACKER, and HARRIS, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Qualo Martez Lowery, Appellant Pro Se. Amy Elizabeth Ray, Assistant United States  
Attorney, Asheville, North Carolina, Kevin Zolot, OFFICE OF THE UNITED STATES  
ATTORNEY, Charlotte, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

## PER CURIAM:

Qualo Martez Lowery appeals the district court's order denying his postconviction motion to dismiss both the indictment and the information filed by the Government pursuant to 21 U.S.C. § 851 (2012). We have reviewed the record and find no reversible error. Accordingly, we deny Lowery's motion for the appointment of counsel and affirm for the reasons stated by the district court. *United States v. Lowery*, No. 3:05-cr-00216-RJC-2 (W.D.N.C. Jan. 17, 2017). 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*