

UNPUBLISHED**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 17-6388

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DAVE ANDRAE TAYLOR, a/k/a Indian, a/k/a Nicholas, a/k/a Spike,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Robert E. Payne, Senior District Judge. (3:99-cr-00145-REP-2)

Submitted: July 18, 2017

Decided: August 9, 2017

Before WILKINSON, NIEMEYER, and KEENAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Dave Andrae Taylor, Appellant Pro Se. Peter Sinclair Duffey, Gurney Wingate Grant, II, Katherine Lee Martin, Robert E. Trono, Assistant United States Attorneys, Heather Hart Mansfield, OFFICE OF THE UNITED STATES ATTORNEY, Richmond, Virginia; Michael Arlen Jagels, Senior Deputy Attorney General, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Dave Andrae Taylor appeals the district court's order construing his second motion to reduce sentence based on Amendment 782 to the Guidelines as a motion to reconsider and denying it for lack of jurisdiction. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court.

United States v. Taylor, No. 3:99-cr-00145-REP-2 (E.D. Va. Mar. 6, 2017). We deny Taylor's motion to appoint counsel and 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