

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 17-6964**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CARL L. LINYARD, a/k/a Gus, a/k/a Big Kahuna, a/k/a Kahuna,

Defendant - Appellant.

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Appeal from the United States District Court for the District of South Carolina, at Beaufort. Patrick Michael Duffy, Senior District Judge. (9:03-cr-00620-PMD-1)

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Submitted: November 16, 2017

Decided: November 21, 2017

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Before GREGORY, Chief Judge, and TRAXLER and KEENAN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Carl L. Linyard, Appellant Pro Se. Robert Nicholas Bianchi, OFFICE OF THE UNITED STATES ATTORNEY, Charleston, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Carl L. Linyard appeals the district court's orders denying his 18 U.S.C. § 3582(c)(2) (2012) motion for a sentence reduction under Sentencing Guidelines Amendments 750 and 759 and his motion to reconsider that denial.\* We review these orders for an abuse of discretion. *United States v. Muldrow*, 844 F.3d 434, 437 (4th Cir. 2016). Our review of the record reveals no such abuse. As the district court noted, Linyard has filed previous unsuccessful motions asserting the same grounds. Accordingly, we affirm the district court's orders. 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*

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\* The nonjurisdictional limit on motions to reconsider rulings on § 3582(c)(2) motions, *United States v. Goodwyn*, 596 F.3d 233, 235-36 (4th Cir. 2010), is waived in the absence of a Government motion invoking the limitation, *United States v. May*, 855 F.3d 271, 274 (4th Cir. 2017), *cert. denied*, \_\_\_ U.S.L.W. \_\_\_, No. 17-142, 2017 WL 3219499 (U.S. Oct. 2, 2017).