

UNPUBLISHED

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

No. 18-6187

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DORIS FOSTER,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina,
at Asheville. Martin K. Reidinger, District Judge. (1:09-cr-00013-MR-DLH-7)

Submitted: July 26, 2018

Decided: October 2, 2018

Before MOTZ, FLOYD, and HARRIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Doris Denise Foster, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Doris Denise Foster appeals the district court's order denying her motion for reduction of sentence under 18 U.S.C. § 3582(c)(2) (2012). We have reviewed the record and find no reversible error.* Accordingly, we affirm for the reasons stated by the district court. *United States v. Foster*, No. 1:09-cr-00013-MR-DLH-7 (W.D.N.C. Jan. 24, 2018). 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

* We note that the district court's finding of fact on the range of cocaine base Foster possessed ("between 1.5 and 4.5 kilos," E.R. 811), straddles two categories of base offense levels under the United States Sentencing Guidelines. If the relevant amount of cocaine base fell under 2.8 kilograms, Foster may be eligible for a further reduction in her sentence. *See* USSG app. C, amend. 782. Foster, however, did not raise the issue in the court below, and so we do not consider it here.