

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

F I L E D

December 8, 2010

No. 08-30918
Conference Calendar

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

KEVIN LOVE, also known as Kelvin Love,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 1:97-CR-10008

Before KING, BENAVIDES, and PRADO, Circuit Judges.

PER CURIAM:*

Kevin Love, federal prisoner # 09677-035, appeals following the district court's grant of relief on his 18 U.S.C. § 3582(c)(2) motion for a reduction of sentence. The district court reduced Love's base offense level by two levels in accordance with the amendments to the Guideline governing cocaine base offenses, and it reduced Love's sentence to 220 months of imprisonment, which was within the amended guidelines range. We review a district court's decision whether to reduce a sentence under § 3582(c)(2) for an abuse of discretion, and

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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its interpretation of the Sentencing Guidelines is reviewed de novo. *United States v. Evans*, 587 F.3d 667, 671-72 (5th Cir. 2009), *cert. denied*, 130 S. Ct. 3462 (2010).

Love argues that the district court should have reduced his sentence to the bottom of the amended guidelines range. He also contends that the district court erred because it failed to address the application of an enhancement for reckless endangerment.

The district court was under no obligation to reduce Love's sentence at all under § 3582(c)(2), and thus, it was under no obligation to reduce it even further within the recalculated range. *See id.* at 673. Because issues relating to the original sentencing are not cognizable under § 3582(c)(2), the district court did not err in failing to address the reckless endangerment enhancement. *See id.* at 674.

For the foregoing reasons, the judgment of the district court is affirmed. Love's motion to file a supplemental brief, and his motion to supplement and/or clarify the Government's brief, are denied.

AFFIRMED; MOTIONS DENIED.