

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-6768

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

LUIS CARBARCAS-A, a/k/a Lucho,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Robert D. Potter, Senior District Judge. (CR-85-62-P)

Submitted: December 20, 2000

Decided: January 12, 2001

Before MICHAEL, MOTZ, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Cheryl J. Sturm, Chaddsford, Pennsylvania, for Appellant. Mark T. Calloway, United States Attorney, Frank D. Whitney, Assistant United States Attorney, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Luis Carbarcas appeals the district's court order denying his Federal Rule of Criminal Procedure 35(a) motion. We have reviewed the record and the district court's opinion and find no reversible error. Rule 35(a) is not available to correct errors at trial prior to the imposition of sentence. Hill v. United States, 368 U.S. 424, 430 (1962). Accordingly, we affirm on the reasoning of the district court. See United States v. Carbarcas-A, No. CR-85-62-P (W.D.N.C. May 8, 2000). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED