

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-6528

SHAWN MICHAEL FOSTER,

Petitioner - Appellant,

versus

UNITED STATES OF AMERICA,

Respondent - Appellee.

Appeal from the United States District Court for the Southern District of West Virginia, at Charleston. Joseph Robert Goodwin, District Judge. (CR-01-44, CA-02-1346-2)

Submitted: May 15, 2003

Decided: May 29, 2003

Before LUTTIG and KING, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Shawn Michael Foster, Appellant Pro Se. Steven Ian Loew, OFFICE OF THE UNITED STATES ATTORNEY, Charleston, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Shawn Michael Foster appeals the district court's order accepting the recommendation of the magistrate judge denying his 18 U.S.C. § 3582 (2000) motion to modify his sentence. We have reviewed the record and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See United States v. Foster, Nos. CR-01-44; CA-02-1346-2 (S.D.W. Va. Mar. 19, 2003). 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