

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-7611

UNITED STATES OF AMERICA,

Petitioner - Appellee,

versus

CLINTON GREEN, a/k/a Blue,

Respondent - Appellant.

Appeal from the United States District Court for the Southern District of West Virginia, at Charleston. Charles H. Haden II, District Judge. (CR-95-97; CA-03-395-2)

Submitted: January 29, 2004

Decided: February 9, 2004

Before WILKINSON, MICHAEL, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Clinton Green, Appellant Pro Se. Monica Kaminski Schwartz, 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Unpublished opinions are not binding precedent in this circuit.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:

Clinton Green appeals the district court's order denying relief on his motion for modification of sentence, 18 U.S.C. § 3582 (2000). Our review of the record and the district court's opinion adopting the recommendation of the magistrate judge discloses no reversible error. Accordingly, we affirm on the reasons stated by the district court. See United States v. Green, Nos. CR-95-97; CA-03-395-2 (S.D.W. Va. Sept. 18, 2003). We grant Green's motion to proceed in forma pauperis, deny as unnecessary his motion for a certificate of appealability, and deny his motion to remand and 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