

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-4007**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ROY PATRICK SARGEANT, a/k/a Sarge, a/k/a Cee,

Defendant - Appellant.

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Appeal from the United States District Court for the District of South Carolina, at Rock Hill. Joseph F. Anderson, Jr., District Judge. (0:04-cr-00898-JFA-1)

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Submitted: October 18, 2007

Decided: October 23, 2007

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Before WILKINSON, NIEMEYER, and KING, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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W. Michael Duncan, AUSTIN, LEWIS & ROGERS, P.A., Columbia, South Carolina, for Appellant. Reginald I. Lloyd, United States Attorney, Stacey D. Haynes, Assistant United States Attorney, Columbia, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Roy Patrick Sargeant seeks to appeal the district court's judgment granting him a three level reduction from his advisory sentencing guidelines range pursuant to U.S. Sentencing Guidelines Manual § 5K1.1 (2006). On appeal, Sargeant's sole alleged error is that the district court erred in granting only a three level departure from his advisory guidelines range. Sargeant does not allege that the departure decision resulted in a sentence imposed in violation of law or resulted from an incorrect application of the Guidelines. Accordingly, we dismiss Sargeant's appeal for lack of jurisdiction. See United States v. Hill, 70 F.3d 321, 324 (4th Cir. 1995). 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.

DISMISSED