

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6498

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ARTHUR ALAN OUTLAW,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of Virginia, at Danville. Jackson L. Kiser, Senior District Judge. (4:00-cr-70114-jlk-1)

Submitted: June 10, 2008

Decided: June 18, 2008

Before MICHAEL, MOTZ, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Arthur Alan Outlaw, Appellant Pro Se. Donald Ray Wolthuis, OFFICE OF THE UNITED STATES ATTORNEY, Roanoke, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Arthur Alan Outlaw appeals the district court's order reducing his sentence under 18 U.S.C. § 3582(c)(2) (2000). Outlaw seeks further reduction of his sentence pursuant to United States v. Booker, 543 U.S. 220 (2005). The relief Outlaw seeks is unavailable under § 3582(c)(2). See United States v. Goines, 357 F.3d 469, 473 (4th Cir. 2004) (noting that § 3582(c)(2) authorizes a "district court to reduce the sentence imposed on a defendant who has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission pursuant to 28 U.S.C. § 994(o)"); see also United States v. Moreno, 421 F.3d 1217, 1220 (11th Cir. 2005) ("Booker is inapplicable to § 3582(c)(2) motions."). Accordingly, we affirm the order of the district court. 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