

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6512

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

WILLIAM HENRY JOHNSON, a/k/a Skip,

Defendant - Appellant.

Appeal from the United States District Court for the Southern District of West Virginia, at Huntington. Robert C. Chambers, District Judge. (3:02-cr-00069-RCC-7)

Submitted: August 22, 2008

Decided: September 10, 2008

Before NIEMEYER and MOTZ, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

William Henry Johnson, Appellant Pro Se. Miller A. Bushong, III, OFFICE OF THE UNITED STATES ATTORNEY, Beckley, West Virginia; John J. Frail, Assistant United States Attorney, Charleston, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

William Henry Johnson appeals the district court's order denying the motion filed pursuant to 18 U.S.C.A. § 3582(c) (West 2000 & Supp. 2008), to reduce his sentence. Because Johnson has completed his term of imprisonment, his appeal may well be moot. See United States v. Guess, 541 F. Supp. 2d 399, 401-05 (D. Me. 2008). In any event, the district court did not abuse its discretion in denying Johnson's § 3582(c) motion. Accordingly, we affirm. 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