

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6547

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

LIONEL RAY HAIRSTON,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Samuel G. Wilson, District Judge. (7:98-cr-00097-sgw-1)

Submitted: June 13, 2008

Decided: June 27, 2008

Before WILKINSON, KING, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Lionel Ray Hairston, 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Unpublished opinions are not binding precedent in this circuit.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:

Lionel Ray Hairston appeals the district court's order denying his motion under 18 U.S.C. § 3582(c)(2) (2000), seeking a reduction to his sentence based on an amendment to the Sentencing Guidelines. We have reviewed the record and find no reversible error. Accordingly, we find the district court did not abuse its discretion in denying the motion. See United States v. Goines, 357 F.3d 469, 478 (4th Cir. 2004) (motion under § 3582(c) "is subject to the discretion of the district court"); United States v. Legree, 205 F.3d 724, 727 (4th Cir. 2000). 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