

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6857

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

PATRICK KIT PLUMLEE; MAX ORVEL PLUMLEE,

Defendants - Appellants.

Appeal from the United States District Court for the Eastern District of Virginia, at Newport News. Raymond A. Jackson, District Judge. (4:94-cr-00002-1; 4:94-cr-00002-2)

Submitted: March 6, 2009

Decided: March 19, 2009

Before MOTZ, TRAXLER, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Patrick Kit Plumlee, Max Orvel Plumlee, Appellants Pro Se.
Kevin Michael Comstock, Assistant United States Attorney,
Norfolk, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Patrick Kit Plumlee and Max Orvel Plumlee appeal the district court's orders denying relief on their motion for reduction of sentence filed pursuant to 18 U.S.C. § 3582(c)(2) (2006). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Plumlee, Nos. 4:94-cr-00002-1; 4:94-cr-00002-2 (E.D. Va. filed Apr. 10, 2008; entered Apr. 11, 2008).^{*} 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

^{*} The Plumlees' claim that they were entitled to appointed counsel in their § 3582(c) proceeding, to the extent it was requested below and denied by the district court, is without merit, as there is no constitutional right to counsel in a proceeding under § 3582(c). See United States v. Legree, 205 F.3d 724, 730 (4th Cir. 2000).