

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6863

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

GARY MICHAEL LUCAS,

Defendant - Appellant.

Appeal from the United States District Court for the Southern District of West Virginia, at Charleston. Joseph R. Goodwin, Chief District Judge. (2:05-cr-00055-2)

Submitted: July 31, 2008

Decided: August 11, 2008

Before NIEMEYER, TRAXLER, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Gary Michael Lucas, Appellant Pro Se. John J. Frail, Assistant United States Attorney, Charleston, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Gary Michael Lucas appeals the district court's order denying his motion for modification of sentence, 18 U.S.C.A. § 3582(c)(2) (West 2000 & Supp. 2008). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Lucas, No. 2:05-cr-00055-2 (S.D.W. Va. Apr. 23, 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