

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-7083**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CURTIS L. HAYES, JR.,

Defendant - Appellant.

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Appeal from the United States District Court for the Southern District of West Virginia, at Huntington. Robert C. Chambers, District Judge. (3:94-cr-00180-1)

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Submitted: October 23, 2008

Decided: November 17, 2008

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Before MICHAEL and AGEE, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Curtis L. Hayes, Jr., Appellant Pro Se. John J. Frail, Assistant United States Attorney, Charleston, West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Curtis L. Hayes, Jr., appeals the district court's order denying reconsideration of its order denying Hayes' motion under 18 U.S.C. § 3582(c) (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. Hayes, No. 3:94-cr-00180-1 (S.D. W. Va. May 21, 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