

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-7440**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

VERNAL SHAWN BAKER,

Defendant - Appellant.

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Appeal from the United States District Court for the Southern District of West Virginia, at Beckley. David A. Faber, District Judge. (5:03-cr-00094-01)

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Submitted: October 21, 2008

Decided: October 29, 2008

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Before MICHAEL, TRAXLER, and DUNCAN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Vernal Shawn Baker, 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.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Vernal Shawn Baker appeals the district court's order denying his motion to reduce sentence pursuant to 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. Baker, No. 5:03-cr-00094-01 (S.D.W. Va. July 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