

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-6122**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DWIGHT KNIBBS, a/k/a Paul Bougle, a/k/a Jamaican Paul,

Defendant - Appellant.

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Appeal from the United States District Court for the Northern  
District of West Virginia, at Wheeling. Frederick P. Stamp,  
Jr., Senior District Judge. (5:90-cr-00122-FPS-2)

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Submitted: April 16, 2009

Decided: April 27, 2009

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Before WILKINSON, NIEMEYER, and SHEDD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Dwight Knibbs, Appellant Pro Se. Robert Hugh McWilliams, Jr.,  
John Castle Parr, Assistant United States Attorneys, Wheeling,  
West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Dwight Knibbs appeals a district court order denying his motion for a sentence reduction under 18 U.S.C. § 3582(c) (2006). The district court found Knibbs was not entitled to a lower sentence because his Guidelines sentence did not change after the amendments were applied. We affirm.

We find the district did not abuse its discretion denying Knibbs' motion for a sentence reduction. United States v. Goines, 357 F.3d 469, 478 (4th Cir. 2004) (stating standard of review). Insofar as Knibbs suggests the court could have considered an even lower sentence below the Guidelines sentencing range, this claim is foreclosed by United States v. Dunphy, 551 F.3d 247, 257 (4th Cir. 2009) ("[A] district judge is not authorized to reduce a defendant's sentence below the amended guideline range.").

Accordingly, we affirm the order denying Knibbs' motion. 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