

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-6301**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

SHERIF SAFWAT EZZAT,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Gerald Bruce Lee, District Judge. (1:05-cr-00336-GBL-1)

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Submitted: June 15, 2009

Decided: July 2, 2009

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Before MOTZ, TRAXLER, and GREGORY, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Michael S. Nachmanoff, Federal Public Defender, Darren J. Johnson, Assistant Federal Public Defender, Alexandria, Virginia, for Appellant. Dana J. Boente, Acting United States Attorney, Lawrence J. Leiser, Assistant United States Attorney, Alexandria, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Sherif Safwat Ezzat appeals the district court's order granting his motion for sentence reduction under 18 U.S.C. § 3582(c)(2) (2006), but denying his request for a reduction below the range of imprisonment suggested by the reconfigured guidelines as a result of Amendment 706 to the Sentencing Guidelines. See U.S. Sentencing Guidelines Manual, App. C. Amend. 706. We have reviewed the record and find no reversible error. Accordingly, we affirm based on our recent decision in United States v. Dunphy, 551 F.3d 247 (4th Cir. 2009). 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