

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-6709**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

NELSON ANTHONY MAYES,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Robert E. Payne, Senior District Judge. (3:04-cr-00320)

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Submitted: September 29, 2009

Decided: October 6, 2009

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Before NIEMEYER, MICHAEL, and MOTZ, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Nelson Anthony Mayes, Appellant Pro Se. Richard Daniel Cooke, Assistant United States Attorney, Olivia N. Hawkins, OFFICE OF THE UNITED STATES ATTORNEY, Richmond, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Nelson Anthony Mayes appeals the district court's order denying his 18 U.S.C. § 3582(c) (2006) motion. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Mayes, No. 3:04-cr-00320 (E.D. Va. Dec. 8, 2008). We deny Mayes' motion for appointment of counsel. 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