

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-7222**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

GARY CARTER, a/k/a Ya Ya,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Wilmington. James C. Fox, Senior District Judge. (7:03-cr-00090-F-1)

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Submitted: September 10, 2009

Decided: September 16, 2009

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Before KING, DUNCAN, and AGEE, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Gary Carter, Appellant Pro Se. J. Frank Bradsher, OFFICE OF THE UNITED STATES ATTORNEY, Rudolf A. Renfer, Jr., Assistant United States Attorney, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Gary Carter appeals the district court's order denying relief on his 18 U.S.C. § 3582(c)(2) (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. Carter, No. 7:03-cr-00090-F-1 (E.D.N.C. filed June 18, 2009; entered June 19, 2009). We further deny Carter's 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