

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-7296

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BROOKS TYRONE CHAMBERS,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Martin K. Reidinger, District Judge. (3:03-cr-00131-MR-1)

Submitted: October 20, 2009

Decided: October 27, 2009

Before TRAXLER, Chief Judge, NIEMEYER, Circuit Judge, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Brooks Tyrone Chambers, Appellant Pro Se. Amy Elizabeth Ray, Assistant United States Attorney, Asheville, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Brooks Tyrone Chambers appeals the district court's orders denying his motion for modification of sentence pursuant to 18 U.S.C. § 3582(c)(2) (2006) and denying his motion for reconsideration. Chambers argues that the district court erred by failing to reduce his sentence based upon U.S. Sentencing Guidelines Manual ("USSG") App. C. Amend. 706 (2007), which lowered the offense level for sentences involving crack cocaine. Chambers' sentence was determined by the career offender guideline, USSG § 4B1.1, and was not based on a sentencing range lowered by the amendment. See United States v. Hood, 556 F.3d 226, 232 (4th Cir. 2009). Accordingly, we affirm the decision of the district court. 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