

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-7324

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BALTASARAS ROMILUS, a/k/a Haitian Bill,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Fox, Senior District Judge. (5:94-cr-00097-F-15)

Submitted: April 13, 2010

Decided: April 29, 2010

Before SHEDD and DAVIS, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Baltasaras Romilus, Appellant Pro Se. Robert Jack Higdon, Jr., OFFICE OF THE UNITED STATES ATTORNEY, Rudolf A. Renfer, Jr., Assistant United States Attorney, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Baltasaras Romilus appeals the district court's order denying his motion for a sentence reduction under 18 U.S.C. § 3582(c) (2006). We have reviewed the record and agree with the district court's conclusion that Romilus was not eligible for a sentence reduction because he was found responsible for more than 4.5 kilograms of crack cocaine. Accordingly, we affirm the district court's order. United States v. Romilus, No. 5:94-cr-00097-F-15 (E.D.N.C. July 13, 2009). We deny Romilus's motion for appointment of counsel and 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