

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-7530**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CRUSO R. WALLACE,

Defendant - Appellant.

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Appeal from the United States District Court for the Southern District of West Virginia, at Beckley. Thomas E. Johnston, District Judge. (5:02-cr-00101-3)

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Submitted: April 13, 2010

Decided: April 22, 2010

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Before MOTZ and GREGORY, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Cruso R. Wallace, Appellant Pro Se. John J. Frail, Assistant United States Attorney, Charleston, West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Cruso R. Wallace appeals from the district court's orders denying his 18 U.S.C. § 3582 (2006) motion for reduction of sentence and his motion for reconsideration. We have reviewed the record in this case and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Wallace, No. 5:02-cr-00101-3 (S.D. W. Va. June 9 & July 31, 2009). In addition, we note that Wallace's claims on appeal are barred by our decision in United States v. Dunphy, 551 F.3d 247, 251-52 (4th Cir.), cert. denied, 129 S. Ct. 2401 (2009) (finding jurisdictional bar to reducing prison term below the amended Guidelines range). 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