

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-8001

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JERMAINE BLACK,

Defendant - Appellant.

Appeal from the United States District Court for the Western
District of North Carolina, at Charlotte. Frank D. Whitney,
District Judge. (3:97-cr-00031-FDW-1)

Submitted: July 22, 2010

Decided: July 29, 2010

Before NIEMEYER, GREGORY, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Jermaine Black, 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Unpublished opinions are not binding precedent in this circuit.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:

Jermaine Black appeals the district court's order denying Black's 18 U.S.C. § 3582(c)(2) (2006) motion for reduction of sentence pursuant to Amendment 599 of the sentencing guidelines. We have reviewed the record and conclude that Amendment 599 does not apply to Black's sentence and that he is therefore not entitled to relief under § 3582(c)(2). 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