

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-8191**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

IVAN MAGDALENO,

Defendant - Appellant.

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**No. 10-6254**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

IVAN MAGDALENO,

Defendant - Appellant.

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Appeals from the United States District Court for the District  
of South Carolina, at Spartanburg. G. Ross Anderson, Jr.,  
Senior District Judge. (7:06-cr-00703-GRA-2)

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Submitted: March 30, 2010

Decided: April 5, 2010

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Before WILKINSON, GREGORY, and SHEDD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Ivan Magdaleno, Appellant Pro Se. Jimmie Ewing, Assistant  
United States Attorney, Columbia, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Ivan Magdaleno appeals the district court's orders denying his motion for specific performance of his plea agreement pursuant to Federal Rule of Criminal Procedure 35(b), his motion for reconsideration of that denial, and his motion to reopen the case. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Magdaleno, No. 7:06-cr-00703-GRA-2 (D.S.C. Nov. 9, 2009; Nov. 25, 2009; Jan. 26, 2010). 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