

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-6654

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ERIC BERNARD SMITH, a/k/a E, a/k/a Pac-Man,

Defendant - Appellant.

Appeal from the United States District Court for the Western
District of North Carolina, at Statesville. Richard L.
Voorhees, District Judge. (5:03-cr-00012-RLV-2)

Submitted: July 22, 2010

Decided: August 3, 2010

Before NIEMEYER, GREGORY, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Eric Bernard Smith, 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Unpublished opinions are not binding precedent in this circuit.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:

Eric Bernard Smith appeals the district court's order denying his motion for reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2) (2006). We have reviewed the record and find no reversible error. Accordingly, we affirm. See Dillon v. United States, __ S. Ct. __, No. 09-6338, 2010 WL 2400109, at *5 (June 17, 2010); United States v. Dunphy, 551 F.3d 247, 251-53 (4th Cir.), cert. denied, 129 S. Ct. 2401 (2009). 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