

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-7095**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JAMES D. MAYER,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. James R. Spencer, Chief District Judge. (3:04-cr-00209-JRS-2)

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Submitted: February 28, 2011

Decided: March 8, 2011

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Before TRAXLER, Chief Judge, and KING and DIAZ, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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James D. Mayer, Appellant Pro Se. Angela Mastandrea-Miller, Assistant United States Attorney, Olivia L. Norman, OFFICE OF THE UNITED STATES ATTORNEY, Richmond, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James D. Mayer appeals the district court's order denying his motion for reconsideration of the denial of his motion to compel the government to file a Fed. R. Crim. P. 35(b) motion. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See United States v. Mayer, No. 3:04-cr-00209-JRS-2 (E.D. Va. July 16, 2010). We deny Mayer's motions to appoint counsel and motion for transcripts, and we grant the motion to seal his informal brief. 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