

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-6736

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ANGELO SHERMAN, a/k/a Angel Sherman, a/k/a Rodney Lamar
Gibbs,

Defendant - Appellant.

Appeal from the United States District Court for the District of
South Carolina, at Charleston. Patrick Michael Duffy, Senior
District Judge. (2:04-cr-00303-PMD-1)

Submitted: October 18, 2011

Decided: October 21, 2011

Before WILKINSON, MOTZ, and DIAZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Angelo Sherman, Appellant Pro Se. Brent Alan Gray, OFFICE OF
THE UNITED STATES ATTORNEY, Sean Kittrell, Assistant United
States Attorney, Charleston, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Angelo Sherman appeals the district court's summary order denying his Fed. R. Civ. P. 60(b)(5) motion asking the district court to reconsider the length of his criminal sentence. Because the Federal Rules of Civil Procedure do not apply to Sherman's criminal matter, and since Sherman cites no authority authorizing the district court to reduce his sentence nearly seven years after it was imposed, we affirm the district court's order. See United States v. Sherman, No. 2:04-cr-00303-PMD-1 (D.S.C. May 23, 2011); see also United States v. Goodwyn, 596 F.3d 233, 235 n.* (4th Cir.), cert. denied, 130 S. Ct. 3530 (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