

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-6707

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DUVELL MOZART EVERETT,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Robert E. Payne, Senior District Judge. (3:07-cr-00001-REP-1)

Submitted: September 10, 2012 Decided: September 17, 2012

Before DUNCAN and AGEE, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Duvell Mozart Everett, Appellant Pro Se. Norval George Metcalf, Assistant United States Attorney, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Duvell Mozart Everett appeals the district court's order granting his 18 U.S.C. § 3582(c)(2) (2006) motion for a sentence reduction. We review an order granting or denying a § 3582 motion for a sentence reduction for abuse of discretion. See United States v. Munn, 595 F.3d 183, 186 (4th Cir. 2010) (citing United States v. Goines, 357 F.3d 469, 478 (4th Cir. 2004)). "A district court abuses its discretion if it . . . bases its exercise of discretion on an erroneous factual or legal premise." DIRECTV, Inc. v. Rawlins, 523 F.3d 318, 323 (4th Cir. 2008) (citing James v. Jacobson, 6 F.3d 233, 239 (4th Cir. 1993)). We have thoroughly reviewed the record and conclude that the district court did not abuse its discretion in rejecting Everett's arguments for a reduction greater than that awarded. Accordingly, we affirm the district court's order. 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 in the decisional process.

AFFIRMED