

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-7543

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOHN MARQUIS JOHNSON,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Florence. R. Bryan Harwell, District Judge. (4:08-cr-01258-RBH-5)

Submitted: January 23, 2014

Decided: February 5, 2014

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

Affirmed by unpublished per curiam opinion.

John Marquis Johnson, Appellant Pro Se. Alfred William Walker Bethea, Jr., Assistant United States Attorney, Florence, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John Marquis Johnson appeals the district court's text order denying his motion for a reduction of his sentence. Johnson argues that he should be resentenced in light of this Court's decision in United States v. Simmons, 649 F.3d 237 (4th Cir. 2011) (en banc). However, Johnson's claim is not cognizable under 18 U.S.C. § 3582(c) (2012). Accordingly, we affirm the district court's order denying relief. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED