

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-6941

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ALBERT EDGERTON,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. W. Earl Britt, Senior District Judge. (5:08-cr-00271-BR-1)

Submitted: October 9, 2014

Decided: October 20, 2014

Before WILKINSON, NIEMEYER, and THACKER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Albert Edgerton, Appellant Pro Se. Edward D. Gray, Jennifer P. May-Parker, Stephen Aubrey West, Assistant United States Attorneys, Denise Walker, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Albert Edgerton appeals the district court's order denying his motion for a sentence reduction under 18 U.S.C. § 3582(c)(2) (2012). 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. Edgerton, No. 5:08-cr-00271-BR-1 (E.D.N.C. June 10, 2014). 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

* As the district court determined, it found Edgerton responsible for 150.55 grams of cocaine base, 3,118.06 grams of cocaine, and one pound of marijuana at sentencing. However, as noted by Edgerton, the court's written statement of reasons stated that his cocaine base drug quantity was the slightly lower amount of 150.15 grams. When there is a conflict between the court's written judgment and its oral pronouncement of the sentence, the oral sentence controls. See United States v. Osborne, 345 F.3d 281, 283 n.1 (4th Cir. 2003). Moreover, in this case, even if the lower cocaine base quantity of 150.15 grams were used, Edgerton would still have a base offense level of 32 under the current amended Guidelines. See U.S. Sentencing Guidelines Manual § 2D1.1(c)(4) & cmt. n.8 (2013).