

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 15-6729**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

STEPHEN ALEXANDER FRITZ,

Defendant - Appellant.

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Appeal from the United States District Court for the Western District of Virginia, at Big Stone Gap. James P. Jones, District Judge. (2:13-cr-00002-JPJ-PMS-1)

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Submitted: October 19, 2015

Decided: October 22, 2015

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Before DUNCAN, AGEE, and WYNN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Larry W. Shelton, Federal Public Defender, Brian J. Beck, Assistant Federal Public Defender, Abingdon, Virginia, for Appellant. Anthony P. Giorno, United States Attorney, Jean B. Hudson, Assistant United States Attorney, Charlottesville, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Stephen Alexander Fritz appeals the district court's order denying his 18 U.S.C. § 3582(c)(2) (2012) motions for a sentence reduction. We generally review an order granting or denying a § 3582(c)(2) motion for abuse of discretion. See United States v. Goines, 357 F.3d 469, 478 (4th Cir. 2004). We review de novo, however, a district court's determination of the scope of its authority under § 3582(c)(2). United States v. Dunphy, 551 F.3d 247, 250 (4th Cir. 2009). Here, the district court correctly concluded that Fritz was not eligible for a sentence reduction; because Fritz was sentenced as a career offender, Amendment 782 to the Sentencing Guidelines, which reduced the offense levels applicable to drug offenses, did not have the effect of lowering his applicable Guidelines range. We therefore affirm the district court's order. 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 in the decisional process.

AFFIRMED