

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 95-6961

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

RICHARD LASSITER,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Graham C. Mullen, District Judge. (CR-92-36-19-3-MU)

Submitted: February 7, 1996

Decided: February 21, 1996

Before MURNAGHAN and WILLIAMS, Circuit Judges, and PHILLIPS, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Richard Lassiter, Appellant Pro Se. Kenneth Davis Bell, OFFICE OF THE UNITED STATES ATTORNEY, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Richard Lassiter appeals from a district court order denying his Fed. R. Crim. P. 35 motion for reduction of his sentence. We dismiss the appeal.

It is uncontested that Lassiter's initial sentence was within the range set by the federal sentencing guidelines. And his sentence was halved when the district court reduced it on Government motion. The order denying Lassiter's Rule 35 motion is not appealable. United States v. Pridgen, 64 F.3d 147, 149-50 (4th Cir. 1995).

We dismiss the appeal for lack of jurisdiction. 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.

DISMISSED