

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 97-6354

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

PERSONNE ELRICO MCGHEE,

Defendant - Appellant.

Appeal from the United States District Court for the Northern District of West Virginia, at Wheeling. Frederick P. Stamp, Jr., Chief District Judge. (CA-96-136-5, CR-93-46)

Submitted: October 23, 1997

Decided: November 14, 1997

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

Affirmed by unpublished per curiam opinion.

Personne Elrico McGhee, Appellant Pro Se. Paul Thomas Camilletti, OFFICE OF THE UNITED STATES ATTORNEY, Wheeling, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals the district court's order accepting the report and recommendation of the magistrate judge and declining to reduce Appellant's sentence under 18 U.S.C. § 3582(c)(2) (1994). We have reviewed the record and the district court's opinion accepting the recommendation of the magistrate judge and find no reversible error. Accordingly, we affirm on the reasoning of the district court. United States v. McGhee, Nos. CR-93-46; CA-96-136-5 (N.D.W. Va. Nov. 22, 1996). 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.

AFFIRMED