

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-6207

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DERRICK R. COOPER,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Charleston. Falcon B. Hawkins, Chief District Judge. (CR-93-123)

Submitted: September 10, 1998

Decided: September 23, 1998

Before MURNAGHAN, MICHAEL, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Derrick R. Cooper, Appellant Pro Se. Matthew R. Hubbell, Assistant United States Attorney, Charleston, South Carolina, 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Unpublished opinions are not binding precedent in this circuit.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 denying Appellant's motion for a reduction of his sentence under former Fed. R. Crim. P. 35(b). We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court concluding that the court had not sentenced Appellant relying on material misinformation in the presentence investigation report and that there was no other grounds for reduction of the sentence. United States v. Cooper, No. CR-93-123 (D.S.C. Jan. 23, 1998). Appellant's motion to expedite this appeal is moot and is denied for that reason. 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