

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 02-6736**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

BEKIR VURAL,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Claude M. Hilton, Chief District Judge. (CR-90-189)

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Submitted: July 25, 2002

Decided: August 2, 2002

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Before WILKINS, MOTZ, and TRAXLER, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Bekir Vural, Appellant Pro Se. Epin Hu Christensen, Special Assistant United States Attorney, Alexandria, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Bekir Vural appeals from the district court's order granting his motion to reduce his sentence based on a retroactive amendment to the Sentencing Guidelines, see 18 U.S.C.A. § 3582(c)(2) (West 2000), on the basis that the district court improperly sentenced him to the high end of the adjusted guideline range. However, proceedings under § 3582 constitute extensions of the original criminal proceeding, see United States v. Alvarez, 210 F.3d 309, 310 (5th Cir. 2000), and the statute governing appeals from such proceedings "does not provide for appellate review of a sentencing court's discretion in setting a sentence anywhere within a properly calculated sentencing range," United States v. Porter, 909 F.2d 789, 794-95 (4th Cir. 1990) (discussing 18 U.S.C. § 3742 (1994)). Accordingly, because Vural's sole claim on appeal is unreviewable, we deny Vural's motion for appointment of counsel and dismiss this appeal. 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 in the decisional process.

DISMISSED