

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-7677

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

CURTIS SATTERWHITE,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. James R. Spencer, District Judge. (CR-92-146)

Submitted: March 19, 2003

Decided: March 28, 2003

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

Affirmed by unpublished per curiam opinion.

Curtis Satterwhite, Appellant Pro Se. Stephen Wiley Miller, OFFICE OF THE UNITED STATES ATTORNEY, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Curtis Satterwhite appeals the order of the district court denying Satterwhite's motion for resentencing. Satterwhite filed this motion several years after his sentence was affirmed on direct appeal* and his challenge under 28 U.S.C. § 2255 (2000), was rejected. There is simply no statutory or other authority for reconsidering his sentence at this late date. Accordingly, the district court was without jurisdiction to consider the motion, and we affirm its denial of relief. 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

* The district court's order stated that Satterwhite had not timely appealed his conviction and sentence. This is erroneous. Nevertheless, the district court did not have jurisdiction to reconsider Satterwhite's sentence, so the error is harmless.