

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-6051

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MONTY MARSHALL, a/k/a Mustafa,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Newport News. Robert G. Doumar, Senior District Judge. (4:02-cr-00002-RGD-TEM-1)

Submitted: July 30, 2010

Decided: August 17, 2010

Before WILKINSON, KING, and KEENAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Monty Marshall, Appellant Pro Se. Timothy Richard Murphy, Special Assistant United States Attorney, Newport News, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Monty Marshall appeals the district court's orders granting in part the Government's Fed. R. Crim. P. 35(b) motion and denying Marshall's motion for reconsideration. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Marshall, No. 4:02-cr-00002-RGD-TEM-1 (E.D. Va. Nov. 19 & Dec. 8, 2009). In addition, we find most of Marshall's claims waived due to his failure to timely raise them in district court. See Muth v. United States, 1 F.3d 246, 250 (4th Cir. 1993); Holland v. Big River Minerals Corp., 181 F.3d 597, 605 (4th Cir. 1999). We grant Marshall's motions to seal his informal brief and supplemental informal brief. 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