

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-7163

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ANTONIO DELREA SMITH,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Robert J. Conrad, Jr., Chief District Judge. (3:05-cr-00013-RJC-DCK-1)

Submitted: September 11, 2012 Decided: September 14, 2012

Before NIEMEYER, SHEDD, and AGEE, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Antonio Delrea Smith, Appellant Pro Se. Keith Michael Cave, OFFICE OF THE UNITED STATES ATTORNEY, Charlotte, North Carolina, Amy Elizabeth Ray, Assistant United States Attorney, Asheville, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Antonio Delrea Smith appeals the district court's orders denying his motion for a reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2) (2006) and denying his motion for reconsideration. We have reviewed the record and find no reversible error. Accordingly, we affirm the denial of Smith's § 3582(c)(2) motion for the reasons stated by the district court. United States v. Smith, No. 3:05-cr-00013-RJC-DCK-1 (W.D.N.C. May 24, 2012). We also affirm the denial of Smith's motion to reconsider, noting that the district court lacked authority to even consider the motion. See United States v. Goodwyn, 596 F.3d 233, 235-36 (4th Cir. 2010). 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