

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 97-7164

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JULIAN ESTER MAE SMITH, a/k/a Pinky,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Statesville. Richard L. Voorhees, Chief District Judge. (CR-96-5-2-V-5)

Submitted: October 21, 1997

Decided: November 25, 1997

Before HAMILTON, MICHAEL, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Julian Ester Mae Smith, Appellant Pro Se. Harry Thomas Church, Assistant United States Attorney, Charlotte, North 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Unpublished opinions are not binding precedent in this circuit.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 for lack of jurisdiction Appellant's motion for a reduction in sentence. 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. United States v. Smith, No. CR-96-5-2-V-5 (W.D.N.C. July 30, 1997). 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