

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-7756

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

GARFIELD AUGUSTINE DUHANEY,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Frederic N. Smalkin, District Judge. (CR-97-92-S, CA-98-3122-S)

Submitted: May 25, 1999

Decided: June 1, 1999

Before ERVIN, WILKINS, and MICHAEL, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Garfield Augustine Duhaney, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Garfield A. Duhaney appeals the district court's order denying his motion to modify his sentence under 18 U.S.C.A. § 3582(c) (West 1994 & Supp. 1999). 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. See United States v. Duhaney, Nos. CR-97-92-S; CA-98-3122-S (D. Md. Sept. 15, 1998). We deny Duhaney's motion to proceed in forma pauperis. 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