

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-6150

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

TIMOTHY BOYD SMITH,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Dever III, District Judge. (5:22-cr-00286-D-RN-1)

Submitted: July 24, 2025

Decided: July 29, 2025

Before NIEMEYER, AGEE, and HEYTENS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Timothy Smith, Appellant Pro Se. David A. Bragdon, Assistant United States Attorney,
OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Timothy Boyd Smith appeals the district court's order denying his motion for a sentence reduction under 18 U.S.C. § 3582(c)(2) based on Amendment 821 to the Sentencing Guidelines. The district court found that Smith was eligible for a sentence reduction but declined to reduce his sentence based on its assessment of the 18 U.S.C. § 3553(a) factors. We discern no abuse of discretion in the court's decision. *See United States v. Martin*, 916 F.3d 389, 395 (4th Cir. 2019) (stating standard of review). Accordingly, we deny Smith's pending motion to appoint counsel, and we affirm the district court's order. *United States v. Smith*, No. 5:22-cr-00286-D-RN-1 (E.D.N.C. Feb. 26, 2025). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED