

## APPENDIX

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 20-6859

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

VEGAS D. SMITH,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Henry E. Hudson, Senior District Judge. (3:07-cr-00227-HEH-1)

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Submitted: March 18, 2021

Decided: March 22, 2021

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Before WILKINSON and RICHARDSON, Circuit Judges, and SHEDD, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Jeremy C. Kamens, Federal Public Defender, Frances H. Pratt, Assistant Federal Public Defender, Laura J. Koenig, Assistant Federal Public Defender, OFFICE OF THE FEDERAL PUBLIC DEFENDER, Alexandria, Virginia, for Appellant. G. Zachary Terwilliger, United States Attorney, Alexandria, Virginia, Peter S. Duffey, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Richmond, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Vegas Devon Smith appeals the district court's order denying his motion seeking a sentence modification under § 404(b) of the First Step Act of 2018, Pub. L. No. 115-391, 132 Stat. 5194. We have reviewed the record and find no reversible error. Accordingly, we affirm the district court's order. 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*

FILED: March 22, 2021

UNITED STATES COURT OF APPEALS  
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No. 20-6859  
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UNITED STATES OF AMERICA

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J U D G M E N T

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In accordance with the decision of this court, the judgment of the district court is affirmed.

This judgment shall take effect upon issuance of this court's mandate in accordance with Fed. R. App. P. 41.

/s/ PATRICIA S. CONNOR, CLERK

March 22, 2021

Decided = Appeal

FILED: August 17, 2021

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 20-6859  
(3:07-cr-00227-HEH-1)

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UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

VEGAS D. SMITH

Defendant - Appellant

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ORDER

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The court denies the petition for rehearing.

Entered at the direction of the panel Judge Wilkinson, Judge Richardson,  
and Senior Judge Shedd.

For the Court

/s/ Patricia S. Connor, Clerk

"Appendix C"