

**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

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**No. 22-6920**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

GEORGE M. LECCO, a/k/a Porgy,

Defendant - Appellant.

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Appeal from the United States District Court for the Southern District of West Virginia, at Charleston. John T. Copenhaver, Jr., Senior District Judge. (2:05-cr-00107-1)

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Submitted: February 21, 2023

Decided: February 24, 2023

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Before NIEMEYER and DIAZ, Circuit Judges, and MOTZ, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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George M. Lecco, Appellant Pro Se. Joseph Franklin Adams, OFFICE OF THE UNITED STATES ATTORNEY, Huntington, West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

## PER CURIAM:

George M. Lecco appeals the district court's order denying his motion to reconsider the denial of his motion for compassionate release under 18 U.S.C. § 3581(c)(1)(A)(i). We have reviewed the record and find no reversible error. Accordingly, we affirm. *United States v. Lecco*, No. 2:05-cr-00107-1 (S.D.W. Va. July 28, 2022). 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*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION No. 2:05-00107-1

GEORGE M. LECCO

O R D E R

Pending is the defendant's pro se Motion to Alter or Amend Judgment of the 18 U.S.C. § 3582(c)(1)(A)(i) Matter to Prevent Manifest Injustice Fed. R. Civ. P. 59(e) (ECF No. 1449), filed December 13, 2021.

Although the motion asks the court to "alter or amend it[s] order of November 16, 2021, denying defendant relief requested pursuant to his motion brought under 18 U.S.C. § 3582(c)(1)(A)(i)," the arguments that follow are unrelated to those presented in his previous § 3582(c) motion. Accordingly, the court declines to reconsider the findings of its November 16, 2021 order.

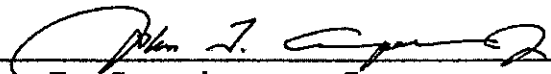
Additionally, to the extent the defendant's motion contends that compassionate release is warranted because this court "lacked constitutional authority to even sit in judgment

of the [defendant's] purported criminal case," the court finds the argument without merit.

In light of the forgoing the court ORDERS that the defendant's motion (ECF No. 1449) be, and it hereby is, denied.

The Clerk is directed to transmit copies of this order to all counsel of record.

ENTER: July 28, 2022

  
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John T. Copenhaver, Jr.  
Senior United States District Judge