

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 10-10085
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT JUNE 22, 2010 JOHN LEY CLERK
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D. C. Docket No. 0:07-cr-60007-FAM-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MICHAEL ANTHONY PHILLIPS,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Florida

(June 22, 2010)

Before MARCUS, PRYOR and ANDERSON, Circuit Judges.

PER CURIAM:

Michael Phillips appeals pro se the denial of his motion to reduce his

sentence. 18 U.S.C. § 3582(c)(2). Phillips’s motion was based on Amendment 706 to the Guidelines. We affirm.

The district court did not err by denying Phillips’s motion. Phillips is not eligible for a reduction of sentence because he is a career offender. United States v. Moore, 541 F.3d 1323, 1330 (11th Cir. 2008). Phillips challenges his classification as a career offender, but in determining eligibility for a reduction of sentence, “all original sentencing determinations remain unchanged.” United States v. Bravo, 203 F.3d 778, 781 (11th Cir. 2000). Amendment 706 did not have the effect of lowering Phillips’s sentencing range. Moore, 541 F.3d at 1327–28.

The denial of Phillips’s motion for a reduced sentence is **AFFIRMED**.