

United States Court of Appeals for the Fifth Circuit

No. 22-51102
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

August 28, 2023

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JOSE TREVIÑO MORALES,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:12-CR-210-3

Before HIGGINBOTHAM, STEWART, and SOUTHWICK, *Circuit
Judges.*

PER CURIAM:*

Jose Treviño Morales, federal prisoner # 27585-064, appeals the denial of his motion for compassionate release, filed pursuant to 18 U.S.C. § 3582(c)(1)(A)(i). On appeal, Treviño Morales argues the district court erred in finding that he failed to demonstrate extraordinary and compelling reasons for granting relief, which circumstances he asserts include various

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

No. 22-51102

medical conditions, his prison's inability to address his medical conditions, and his rehabilitation. He additionally contends that the district court erred in applying and weighing the 18 U.S.C. § 3553(a) factors. Finally, Treviño Morales argues that the district court failed to adequately address his arguments and provided insufficient reasons for denying his motion.

We review the denial of a motion for compassionate release for abuse of discretion. *United States v. Chambliss*, 948 F.3d 691, 693 (5th Cir. 2020). Based on the district court's statement that it had considered Treviño Morales's motion, we may infer that the district court considered and rejected the arguments that Treviño Morales raised in his motion. *See Concepcion v. United States*, 142 S. Ct. 2389, 2405 (2022); *United States v. Escajeda*, 58 F.4th 184, 188 (5th Cir. 2023). The district court's order demonstrates that it adequately considered Treviño Morales's arguments and concluded that consideration of the Section 3553(a) factors did not weigh in favor of relief. *See Concepcion*, 142 S. Ct. at 2405; *United States v. Evans*, 587 F.3d 667, 673 (5th Cir. 2009). The district court "did not need to say more." *Escajeda*, 58 F.4th at 188. Treviño Morales's arguments regarding the Section 3553(a) factors amount to a disagreement with the court's balancing of those factors. This disagreement does not warrant reversal. *See Chambliss*, 948 F.3d at 694.

We need not consider Treviño Morales's contention that the district court erred in finding that he failed to show extraordinary and compelling reasons warranting relief because the district court did not abuse its discretion in its alternative holding that relief was not warranted under the Section 3553(a) factors. *See Ward v. United States*, 11 F.4th 354, 360–62 (5th Cir. 2021); *Chambliss*, 948 F.3d at 693.

AFFIRMED.