

United States Court of Appeals for the Fifth Circuit

No. 23-10554
Summary Calendar

United States Court of Appeals
Fifth Circuit
FILED
September 29, 2023

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

DAVID LEWIS MEALS, JR.,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:13-CR-23-1

Before JONES, SOUTHWICK, and HO, *Circuit Judges.*

PER CURIAM:*

David Lewis Meals, Jr., federal prisoner # 40910-280, appeals the denial of his motion to further reduce his 225-month sentence for possession with intent to distribute a controlled substance, filed pursuant to 18 U.S.C. § 3582(c)(2). The district court previously granted Meals a reduction based upon Amendment 782 to the Sentencing Guidelines. Meals contends that

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

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the district court's decision that the 18 U.S.C. § 3553(a) sentencing factors did not warrant a further sentence reduction for his methamphetamine offense was an abuse of discretion.

Contrary to Meals's argument, the district court considered his arguments for a lower sentence but concluded that pertinent sentencing factors of § 3553(a) did not weigh in favor of a further reduction. *See United States v. Evans*, 587 F.3d 667, 673 (5th Cir. 2009). Because the district court was not obligated to reduce Meals's sentence at all, the district court did not have to reduce it further than it did within the recalculated guidelines range. *See id.* Meals's argument amounts to a disagreement with the court's balancing of the § 3553(a) sentencing factors, which is not sufficient to demonstrate an abuse of discretion. *See United States v. Lopez-Velasquez*, 526 F.3d 804, 807 (5th Cir. 2008).

AFFIRMED.