

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

April 17, 2024

Lyle W. Cayce
Clerk

No. 23-30606
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

MICHAEL SHORT,

Defendant—Appellant.

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 2:96-CR-232-1

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

PER CURIAM:*

Michael Short, federal prisoner # 22355-034, appeals the denial of his 18 U.S.C. § 3582(c)(2) motion for a sentence reduction and the subsequent denial of his Federal Rule of Civil Procedure 59(e) motion. He contends the

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.4.

district court erred when it denied him a sentence reduction based on Amendment 591 of the Sentencing Guidelines.

We review the denials at issue for an abuse of discretion. *United States v. Lopez*, 989 F.3d 327, 332 (5th Cir. 2021). As the district court correctly reasoned, Short was sentenced under U.S.S.G. § 2K2.1(c)(1)(B) and its cross-reference to U.S.S.G. § 2A1.1 such that Amendment 591 did not lower his Guidelines range. Consequently, the district court did not abuse its discretion by denying relief. *See Lopez*, 989 F.3d at 332; *Trevino v. City of Fort Worth*, 944 F.3d 567, 570 (5th Cir. 2019); *United States v. Anderson*, 591 F.3d 789, 791 (5th Cir. 2009).

AFFIRMED.