

United States Court of Appeals
for the Fifth Circuit

No. 23-60130
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

August 16, 2023

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

MARCO BISA HAWKINS MORAN,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 2:18-CR-34-1

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

PER CURIAM:*

Marco Bisa Hawkins Moran, federal prisoner # 21033-043, appeals the denial of his motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A) urging error in the weighing of the 18 U.S.C. § 3553(a) factors. Specifically, he contends that he has accepted responsibility and has a low risk of recidivism because of his education level. Moran also argues that

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

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the district court abused its discretion by finding that he did not establish extraordinary and compelling reasons warranting compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i).

We review the denial of a motion for compassionate release for an abuse of discretion. *See United States v. Chambliss*, 948 F.3d 691, 693 (5th Cir. 2020). The district court denied Moran's motion on the ground that he was not entitled to compassionate release because the § 3553(a) factors did not weigh in his favor. Specifically, the district court found that he had committed a serious offense and that releasing him early would create serious sentencing disparities with other similarly situated defendants, so releasing him was not in the interests of justice and would minimize the seriousness of his offense. *See* 18 U.S.C. § 3553(a). Moran's disagreement with the district court's weighing of the sentencing factors is not sufficient to demonstrate an abuse of discretion, and he provides no exculpatory evidence or case law establishing a legal error or on an erroneous assessment of the facts. *See Chambliss*, 948 F.3d at 694. The judgment of the district court is **AFFIRMED**.