

United States Court of Appeals for the Fifth Circuit

No. 23-50432
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

January 23, 2024

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

LUIS FELIPE RODRIGUEZ,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 2:14-CR-139-1

Before WILLETT, DUNCAN, and RAMIREZ, *Circuit Judges.*

PER CURIAM:*

Luis Felipe Rodriguez, federal prisoner # 63052-180, appeals the district court's denial of his 18 U.S.C. § 3582(c)(1)(A)(i) motion for compassionate release. He contends that he established extraordinary and compelling reasons for release because, pursuant to the First Step Act, his drug conspiracy conviction is no longer subject to a mandatory sentence of

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

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life imprisonment and if he were sentenced today, the district court could consider a mandatory minimum sentence of 15 or 25 years in prison. Rodriguez argues that the district court failed to take into account the potential for sentencing disparities and that the court should have granted him relief because it expressed reluctance to impose a life sentence at the time of his sentencing.

We review for abuse of discretion. *See United States v. Chambliss*, 948 F.3d 691, 693-94 (5th Cir. 2020). The district court conducted an independent review of the 18 U.S.C. § 3553(a) factors and concluded that Rodriguez was not entitled to relief. Rodriguez has not shown that the district court abused its discretion in this conclusion. *See id.* at 693; *see also Concepcion v. United States*, 597 U.S. 481, 502 (2022). Because the district court's independent § 3553(a) analysis supports the denial, it is unnecessary to consider whether Rodriguez established extraordinary and compelling reasons warranting relief. *See United States v. Jackson*, 27 F.4th 1088, 1093 & n.8 (5th Cir. 2022); *Ward v. United States*, 11 F.4th 354, 360-62 (5th Cir. 2021). Accordingly, the judgment of the district court is AFFIRMED.