

United States Court of Appeals for the Fifth Circuit

No. 24-10406
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

September 17, 2024

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JAMES L. RUDZAVICE,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:07-CR-138-1

Before HAYNES, HIGGINSON, and DOUGLAS, *Circuit Judges*.

PER CURIAM:*

James L. Rudzavice, federal prisoner # 36844-177, appeals the denial of his motion for compassionate release, filed pursuant to 18 U.S.C. § 3582(c)(1)(A)(i). He argues that the district court failed to explain why his sentence is longer than the sentences imposed on similar defendants with more aggravating factors. He further faults the district court for “brush[ing]

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

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aside” the facts he presented as “untruthful” and for failing to address every claim raised in his motion, and he maintains that his “unusually long” sentence and his postconviction conduct constitute extraordinary and compelling reasons for a sentence reduction. Additionally, Rudzavice contends that the district court abused its discretion by refusing to lower his sentence when (i) he would face a lower sentence under “the new amendments” if he were sentenced today; (ii) he “has not received a shot in over ten years”; (iii) the Bureau of Prisons (BOP) “has confidence in [him] to have him monitor: suicide watch”; and (iv) the BOP labels him as “low recidivism.”

We review the denial for abuse of discretion. *See United States v. Chambliss*, 948 F.3d 691, 693-94 (5th Cir. 2020). Here, the district court conducted an independent review of the 18 U.S.C. § 3553(a) factors and determined that Rudzavice was not entitled to relief. Rudzavice’s disagreement with the balancing of those factors is insufficient to show an abuse of discretion. *See id.* at 694. Moreover, the district court’s analysis was thorough and “relied upon the record, while making clear that [the court] considered [Rudzavice’s] arguments and [took] account of the § 3553(a) factors.” *Chavez-Meza v. United States*, 585 U.S. 109, 116 (2018). Accordingly, the reasons provided are sufficient. *See id.*

Because the district court’s independent consideration of the § 3553(a) factors provides a sufficient basis for affirmance, we need not consider whether the district court erred in determining that Rudzavice failed to show extraordinary and compelling reasons warranting relief. *See United States v. Jackson*, 27 F.4th 1088, 1093 n.8 (5th Cir. 2022). The order of the district court is AFFIRMED. All outstanding motions are DENIED.