

United States Court of Appeals for the Fifth Circuit

No. 24-40500
CONSOLIDATED WITH
No. 24-40501

United States Court of Appeals
Fifth Circuit

FILED

February 19, 2025

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

WILLIAM SAMUEL McLEAN, JR.,

Defendant—Appellant.

Appeals from the United States District Court
for the Eastern District of Texas
USDC Nos. 4:93-CR-22-1, 4:93-CR-47-1

Before RICHMAN, DOUGLAS, and RAMIREZ, *Circuit Judges*.

PER CURIAM:*

William Samuel McLean, Jr., federal prisoner number 04259-078, appeals the district court's omnibus order denying eleven various motions filed by McLean between January 2023 and July 2024. During that time period, McLean filed a twelfth motion on November 1, 2023, that was styled: "Motion for the Reduction of Sentence under Title 18 USC Section

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

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3582(c)(1)(A) and for the Appointment of Counsel in the Interest of Justice in Light of the November 1, 2023 Changes Made by the U.S.S.C. to U.S.S.G. Section 1B1.13(6) as I have Over 10 Flat Years Completed on My Current Sentence and Could Not Receive the Same Sentence Today as I did When I was Previously Convicted and Sentence by this Honorable Court” (Compassionate Release Motion). On appeal, McLean argues that the district court erred by (i) converting his Compassionate Release Motion under 18 U.S.C. § 3582(c)(1)(A) to a motion for a sentence reduction under § 3582(c)(2), based on Amendment 821 to the Guidelines and (ii) failing to provide notice that it had appointed him counsel.

Because the district court’s omnibus order did not address the Compassionate Release Motion and there is no appealable order regarding the district court’s failure to provide notice of the appointment of counsel, we lack jurisdiction to consider McLean’s challenges on appeal. *See* 28 U.S.C. § 1291. Moreover, because McLean does not challenge the district court’s denial of the eleven motions that are explicitly listed in the omnibus order, any such challenge is abandoned. *See Yohey v. Collins*, 985 F.2d 222, 224-25 (5th Cir. 1993).

For the foregoing reasons, we DISMISS the appeals, in part, for lack of jurisdiction and AFFIRM the district court’s order in all other respects. McLean’s motions to expedite his appeals and for leave to file an appendix are DENIED.