

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

April 30, 2021

Lyle W. Cayce
Clerk

No. 19-40522

UNITED STATES OF AMERICA,

Plaintiff-Appellee

versus

MICHAEL DWIGHT RAVEN,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 3:95-CR-10-1

Before HAYNES, GRAVES, and WILLETT, *Circuit Judges*.

PER CURIAM:*

Michael Dwight Raven, federal prisoner # 46219-079, appeals the district court's denial of his motion to reduce his sentence pursuant to 18 U.S.C. § 3582(c) and the First Step Act of 2018. Raven argues that he is eligible for a sentence reduction based on Section 404 of the First Step Act. Because it is unclear whether the district court has ruled on the First Step Act issue, we REMAND for the purpose of having the district court clarify its ruling as to what statutes it considered and whether it concluded it lacked authority or whether its ruling was based upon discretionary considerations. Given the timing of his release date, we request the district court to act promptly. Upon return to this court no further briefing will be necessary, and the case will be returned to this panel for disposition.

* Pursuant to 5th Circuit Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th Circuit Rule 47.5.4.