

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

January 7, 2021

Lyle W. Cayce
Clerk

No. 20-10464
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

CHRISTOPHER MARTINEZ,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
No. 4:96-CR-76

Before KING, SMITH, and WILSON, *Circuit Judges.*

PER CURIAM:*

A jury convicted Christopher Martinez of conspiracy to distribute cocaine and marihuana, three counts of money laundering, and criminal forfeiture. He was sentenced to life imprisonment and criminal forfeiture of

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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\$770,711, and we affirmed his conviction and sentence. *United States v. Martinez*, 151 F.3d 384, 387–88 (5th Cir. 1998).

Martinez filed a motion to reduce his sentence per the First Step Act, 18 U.S.C. § 3582(c)(1)(A)(i). He contended that his extraordinary and compelling reasons for a sentence reduction are that (1) the First Step Act made changes to mandatory minimum penalties; (2) the Sentencing Guidelines were thought to be mandatory when he was sentenced in 1995; (3) he has engaged in various rehabilitative efforts; and (4) he is repentant. The district court denied the motion to reduce and a motion for reconsideration.

We review for abuse of discretion a motion for compassionate release under § 3582(c)(1)(A)(i). *United States v. Chambliss*, 948 F.3d 691, 693 (5th Cir. 2020). The district court considered the sentencing factors in 18 U.S.C. § 3553(a) and sufficiently articulated reasons for denying Martinez’s motion. *See Chambliss*, 948 F.3d at 693–94. It was not unreasonable for the court to place greater weight on the seriousness of Martinez’s offense, including the fact that a dangerous weapon was involved in the criminal activity, of which he was considered a leader. *See id.* Martinez’s arguments do not establish that the district court based its decision on an error of law or a clearly erroneous assessment of the evidence when it determined that the § 3553(a) factors weighed against a reduction. *See id.*

The order denying the motion for compassionate release is AFFIRMED.