

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

January 13, 2021

Lyle W. Cayce
Clerk

No. 20-10870
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

CHARLES GRANT MOORE,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:19-CR-182-1

Before HIGGINBOTHAM, JONES, and COSTA, *Circuit Judges.*

PER CURIAM:*

Charles Grant Moore, federal prisoner # 26057-480, has appealed the district court's judgment denying his motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i). Moore's motion to supplement his appellant's brief with a letter is GRANTED.

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 20-10870

Moore contends that concerns for his health and safety and that of other prisoners due to COVID-19, the suspension of the residential drug abuse treatment program, and the composition of the prison population, as well as unfairness in his original sentencing, warrant relief. To the extent that these contentions, such as those based on the threat of COVID-19 to his health, are raised for the first time on appeal, they will not be considered. *See United States v. Martinez*, 228 F.3d 587, 589 n.3 (5th Cir. 2000).

Moore has not shown that the district court abused its discretion or otherwise erred. *See United States v. Chambliss*, 948 F.3d 691, 693 (5th Cir. 2020). The judgment is AFFIRMED.