

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

January 31, 2022

Lyle W. Cayce  
Clerk

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No. 20-10906  
Summary Calendar

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

HOSIE TUCKER, III,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:12-CR-161-1  
USDC No. 4:20-CV-810

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Before DAVIS, JONES, and ELROD, *Circuit Judges.*

PER CURIAM:\*

Hosie Tucker, III, federal prisoner # 44580-177, appeals the denial of his motion for compassionate release under the First Step Act. *See* 18 U.S.C. § 3582(c)(1)(A)(i). The district court denied Tucker's motion without the

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\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.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. 20-10906

benefit of intervening Fifth Circuit authority. Therefore, we VACATE the district court's order and REMAND for further consideration in light of *United States v. Shkambi*, 993 F.3d 388 (5th Cir. 2021).