

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

March 3, 2022

Lyle W. Cayce  
Clerk

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No. 20-11206  
Summary Calendar

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

MICHAEL BARRETT,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:20-CV-1202

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Before SOUTHWICK, OLDHAM, and WILSON, *Circuit Judges.*

PER CURIAM:\*

Michael Barrett, federal prisoner # 25677-177, appeals the denial of his pro se motion for compassionate release under the First Step Act. *See* 18 U.S.C. § 3582(c)(1)(A). A district court's denial of a compassionate-release motion is reviewed for an abuse of discretion. *See United States v.*

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\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.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. 20-11206

*Thompson*, 984 F.3d 431, 433 (5th Cir. 2021). Our precedent dictates that “compassionate release is discretionary, not mandatory,” and it can “be refused after weighing the sentencing factors of 18 U.S.C. § 3553(a).” *United States v. Chambliss*, 948 F.3d 691, 693 (5th Cir. 2020). Here the district court appropriately weighed the § 3553(a) factors and denied Barrett’s motion. We cannot say that the district court erred, much less that it abused its discretion. Therefore, the judgment is AFFIRMED. Barrett’s motion for emergency judicial notice is DENIED.