

United States Court of Appeals
for the Fifth Circuit

No. 20-11260
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 21, 2022

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

MICHAEL ALFRED GREEN,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 6:17-CR-43-1
USDC No. 6:20-CV-126

Before HIGGINBOTHAM, HIGGINSON, and DUNCAN, *Circuit Judges.*

PER CURIAM:*

Michael Alfred Green, federal prisoner # 33339-177, appeals the denial of his 18 U.S.C. § 3582(c)(1)(A)(i) motion for compassionate release. We

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.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. 20-11260

review the denial for an abuse of discretion. *United States v. Chambliss*, 948 F.3d 691, 693 (5th Cir. 2020).

Section 3582(c)(1)(A) authorizes a district court to modify a defendant's term of imprisonment, after considering the applicable 18 U.S.C. § 3553(a) factors, if the court finds that "extraordinary and compelling reasons warrant such a reduction." § 3582(c)(1)(A)(i); see *United States v. Shkambi*, 993 F.3d 388, 393 (5th Cir. 2021). Even if a movant otherwise qualifies for a § 3582(c)(1)(A)(i) reduction, a district court may deny relief based solely upon its consideration of the § 3553(a) factors. *Chambliss*, 948 F.3d at 693-94.

Here, the district court rejected Green's assertion that extraordinary and compelling reasons warranted a sentence reduction. Alternatively, the court denied Green's motion based on its consideration of the § 3553(a) factors. While Green argues that the district court misbalanced the § 3553(a) factors, his disagreement fails to show that the district court abused its discretion and does not warrant reversal. See *Chambliss*, 948 F.3d at 693-94.

The judgment of the district court is AFFIRMED.