

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

February 3, 2021

Lyle W. Cayce  
Clerk

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No. 20-30305  
Summary Calendar

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

MICHAEL CARTER,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Eastern District of Louisiana  
USDC No. 2:05-CR-229-1

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

PER CURIAM:\*

Michael Carter, federal prisoner # 29578-034, has appealed the district court's order denying his motion for resentencing pursuant to Section 404 of the First Step Act of 2018. He asserts that the district court failed to properly consider all the statutory sentencing factors, conduct an

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\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.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. 20-30305

individualized assessment of his unique circumstances, and provide a sufficient explanation of its reasons for denying his motion. He has not shown that the district court abused its discretion. *See United States v. Batiste*, 980 F.3d 466, 477-79 (5th Cir. 2020). Carter also asserts that the district court's decision was substantively unreasonable. As he now concedes, this issue is foreclosed. *See id.* at 479-80. The district court's order is AFFIRMED.