

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

April 14, 2021

Lyle W. Cayce  
Clerk

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No. 20-40479  
Summary Calendar

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

CHAD CALHOUN,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 6:15-CR-17-1

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Before KING, SMITH, and WILSON, *Circuit Judges.*

PER CURIAM:\*

Chad Calhoun, federal prisoner # 22975-078, was convicted by jury verdict of receipt of child pornography and possession of child pornography and was sentenced to a total of 135 months of imprisonment and 10 years of supervised release. Calhoun now challenges the district court's denial of his

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\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.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. 20-40479

motion for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A)(i), as amended by the First Step Act of 2018, Pub. L. No. 115-391, § 404, 132 Stat. 5194. He argues that extraordinary and compelling reasons warrant his compassionate release because his elderly and ailing father requires his assistance. He also asserts that the 18 U.S.C. § 3553(a) factors weigh in his favor.

We review the district court's decision to deny a prisoner's motion for compassionate release for an abuse of discretion. *United States v. Chambliss*, 948 F.3d 691, 693 (5th Cir. 2020). The district court concluded that Calhoun was not entitled to an early release because he failed to show extraordinary and compelling reasons and because the 18 U.S.C. § 3553(a) factors did not weigh in his favor. Regarding the district court's assessment under the § 3553(a) factors, Calhoun has not shown that the district court based its decision on a legal error or a clearly erroneous assessment of the evidence. *See id.* His disagreement with the district court's weighing of the § 3553(a) factors is insufficient to show an abuse of discretion. *See id.* at 694. Because we may affirm on this ground, we need not consider the other bases for the district court's denial. *See United States v. Chacon*, 742 F.3d 219, 220 (5th Cir. 2014).

AFFIRMED.