

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

January 3, 2022

Lyle W. Cayce
Clerk

No. 20-60717
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

GREGORY THOMPSON,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 2:19-CR-27-1

Before OWEN, *Chief Judge*, and DENNIS and HO, *Circuit Judges*.

PER CURIAM:*

Gregory Thompson, federal prisoner # 21460-043, pleaded guilty to possession with intent to distribute 500 grams or more of methamphetamine in violation of 21 U.S.C. § 841(a)(1). The district court sentenced him to 120 months' imprisonment. Less than six months after sentencing, Thompson

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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moved for compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i). The district court denied the motion.

Thompson challenges the denial, arguing that his hypertension and obesity render him at high risk of contracting COVID-19 according to the Centers for Disease Control and the prison. He argues that prison conditions heighten his risk, presenting “extraordinary and compelling reasons warrant[ing] such a reduction” to his sentence under § 3582(c)(1)(A)(i). Thompson also asserts that the 18 U.S.C. § 3553(a) factors weigh in his favor because his offense involved no violence and he has made significant efforts at rehabilitation while in prison, as evidenced by his lack of disciplinary infractions and educational pursuits.

Thompson has not shown that the district court abused its discretion when it determined that he did not have an extraordinary and compelling reason for his immediate release. *See United States v. Thompson*, 984 F.3d 431, 434-35 (5th Cir. 2021), *cert. denied*, 2021 WL 2044647 (U.S. May 24, 2021) (No. 20-7832).

The judgment of the district court is AFFIRMED.