

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

January 5, 2022

Lyle W. Cayce
Clerk

No. 21-50061
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JEREMIAS SANTIAGO HERNANDEZ,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 6:09-CR-216-4

Before DAVIS, JONES, and ELROD, *Circuit Judges.*

PER CURIAM:*

Jeremias Santiago Hernandez, federal prisoner # 39692-177, appeals the district court's denial of his motion for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(1)(A)(i). On appeal, he contends that the district court failed to weigh all the 18 U.S.C. § 3553(a) sentencing factors and did not take

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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into consideration all his extraordinary and compelling reasons for a sentence reduction.

We review a district court's decision denying compassionate release for an abuse of discretion. *United States v. Chambliss*, 948 F.3d 691, 693 (5th Cir. 2020). A district court may modify a defendant's sentence, after considering the applicable § 3553(a) factors, if "extraordinary and compelling reasons warrant such a reduction" and "such a reduction is consistent with applicable policy statements issued by the Sentencing Commission." § 3582(c)(1)(A)(i). The record reflects that the district court did not abuse its discretion in determining that a sentence reduction was not warranted based on its review of the § 3553(a) sentencing factors.

Accordingly, the district court's order is AFFIRMED.