

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

October 19, 2021

Lyle W. Cayce
Clerk

No. 21-60469
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

TORENDA WHITMORE,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 1:08-CR-130-3

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

PER CURIAM:*

Torenda Whitmore, federal prisoner # 15123-043, was convicted by a jury of two counts of kidnapping, in violation of 18 U.S.C. § 1201(a)(1), for which she is serving concurrent 292-month terms of imprisonment. Whitmore now challenges the district court's denial of her second motion for

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.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. 21-60469

compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i). She argues that her chronic medical conditions, which put her at greater risk of COVID-19 complications, combined with her inability to protect herself adequately while incarcerated, present extraordinary and compelling reasons for her release. Additionally, she contends that she does not pose a danger to the community and that the likelihood she would reoffend is nonexistent.

We review the district court's decision to deny a prisoner's motion for compassionate release for an abuse of discretion. *See United States v. Cooper*, 996 F.3d 283, 286 (5th Cir. 2021); *United States v. Chambliss*, 948 F.3d 691, 693 (5th Cir. 2020). The district court concluded that Whitmore was not entitled to an early release because her medical conditions, coupled with her generalized fear of COVID-19, did not constitute extraordinary and compelling reasons and further because the 18 U.S.C. § 3553(a) factors weighed against her release. Whitmore fails to show that the district court abused its discretion in weighing the § 3553(a) factors and denying her motion. *See Chambliss*, 948 F.3d at 693-94.

Accordingly, the order of the district court is AFFIRMED.