

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

December 1, 2022

Lyle W. Cayce
Clerk

No. 22-60090
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

RANDY LAVERNE MARSHALL,

Defendant—Appellant.

Appeals from the United States District Court
for the Southern District of Mississippi
USDC Nos. 1:13-CR-51-1, 1:14-CR-1-1

Before KING, HIGGINSON, and WILLETT, *Circuit Judges.*

PER CURIAM:*

Randy Laverne Marshall, federal prisoner #17550-043, appeals the district court's denial of his motion under 18 U.S.C. § 3582(c)(1)(A)(i) to reduce his 1,704-month prison sentence. Proceeding pro se, Marshall contends the district court failed to properly balance the 18 U.S.C. § 3553(a) sentencing factors.

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

No. 22-60090

We review a district court's decision whether to reduce a sentence under § 3582 for an abuse of discretion. *United States v. Chambliss*, 948 F.3d 691, 693 (5th Cir. 2020). Here, the district court, in determining that the sentencing factors did not weigh in favor of a sentence reduction, expressly considered Marshall's history and characteristics, his rehabilitation efforts, the seriousness of his offense, and the need to protect the public, to provide just punishment for the offense, and to deter future criminal conduct. *See* § 3553(a)(1)-(2). Marshall points to no error of law or clearly erroneous assessment of the evidence. *See Chambliss*, 948 F.3d at 693. His disagreement with how the district court balanced the § 3553(a) factors is insufficient to demonstrate an abuse of discretion. *See id.* at 694.

AFFIRMED.