

United States Court of Appeals
for the Fifth Circuit

No. 24-60522
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

July 25, 2025

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

STEVEN MISTILIS,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 3:21-CR-64-1

Before STEWART, GRAVES, and OLDHAM, *Circuit Judges*.

PER CURIAM:*

Steven Mistilis, federal prisoner # 53009-509, appeals the district court's denial of his motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i). Mistilis sought compassionate release based on his elderly father's deteriorating health and need for Mistilis to serve as primary caregiver.

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

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In addition to denying Mistilis's motion based on his failure to demonstrate extraordinary and compelling reasons, the district court denied relief on the basis that a weighing of the 18 U.S.C. § 3553(a) factors did not warrant a reduction of his 97-month sentence for possession of child pornography. Specifically, the district court concluded that reducing Mistilis's sentence would not adequately reflect the seriousness of his offense, promote respect for the law, adequately deter criminal conduct, or protect the public from further crimes of Mistilis. *See* 18 U.S.C. § 3553(a)(2)(A), (a)(2)(B), (a)(2)(C). Besides making the conclusory assertions that his crime was the result of "an addiction and neurological condition" and that he is not a "threat" to the public, Mistilis does not meaningfully challenge the district court's decision denying relief based on its consideration of the § 3553(a) factors. *See United States v. Scroggins*, 599 F.3d 433, 446-47 (5th Cir. 2010). At most, his arguments amount to no more than a disagreement with the district court's balancing of the relevant factors, which is insufficient to show an abuse of discretion. *See United States v. Chambliss*, 948 F.3d 691, 694 (5th Cir. 2020).

Because the district court's alternative and independent consideration of the § 3553(a) factors provides a sufficient basis for affirmance, *see id.* at 693-94, we need not consider Mistilis's contention that extraordinary and compelling reasons justify relief. *See United States v. Jackson*, 27 F.4th 1088, 1093 n.8 (5th Cir. 2022).

The order of the district court is AFFIRMED.