

United States Court of Appeals
for the Fifth Circuit

No. 26-10221
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

October 15, 2026

Thomas B. Plunkett, III
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

MICHAEL BRENDAN O’CONNOR,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:14-CR-264-1

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

PER CURIAM:*

Michael Brendan O’Connor, federal prisoner # 48205-177, appeals the district court’s denial of his 18 U.S.C. § 3582(c)(1)(A)(i) motion for compassionate release based on a balancing of the 18 U.S.C. § 3553(a) factors. O’Connor contends that the district court failed to address all the arguments he raised in his motion for compassionate release; reasserts his arguments that his post-sentencing rehabilitation, medical conditions, and low risk of

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

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recidivism support a reduction in sentence; and claims that the district court misrepresented his motion as a 28 U.S.C. § 2255 motion.

In its analysis of the § 3553(a) factors, the district court noted that a forensic examination of O'Connor's hard drives revealed "785 images of confirmed child pornography, including 29 images that depicted the sexual exploitation of an infant or toddler, and 20 images that depicted sadistic or masochistic exploitation of a child." It further noted that O'Connor's prior criminal history included "two prior convictions, one for sexually assaulting a 14-year-old girl, and one for solicitation of a minor and possession of child pornography." The district court concluded that a further reduction of O'Connor's sentence was not warranted in light of the seriousness of the offense, the need to promote respect for the law, to provide just punishment for the offense, and to afford adequate deterrence of future criminal conduct. *See* 18 U.S.C. § 3553(a)(1), (a)(2). O'Connor's disagreement with the district court's balancing of the § 3553(a) factors is insufficient to show an abuse of discretion. *See United States v. Chambliss*, 948 F.3d 691, 694 (5th Cir. 2020). Further, the district court did not misconstrue O'Connor's motion as a § 2255 motion but correctly concluded that any argument challenging the legality of his original sentencing proceedings was not cognizable in a § 3582(c)(1)(A)(i) motion. *See United States v. Escajeda*, 58 F.4th 184, 187 (5th Cir. 2023).

Accordingly, the order of the district court is AFFIRMED. *See Chambliss*, 948 F.3d at 693-94; *United States v. Jackson*, 27 F.4th 1088, 1093 n.8 (5th Cir. 2022).