

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-7583

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOEL DEVON ARTIS,

Defendant - Appellant.

No. 16-7584

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOEL DEVON ARTIS,

Defendant - Appellant.

Appeals from the United States District Court for the Eastern District of North Carolina,
at Raleigh. James C. Dever, III, Chief District Judge. (5:12-cr-00091-D-1; 5:12-cr-
00342-D-1)

Submitted: March 24, 2017

Decided: April 6, 2017

Before THACKER and HARRIS, Circuit Judges, and DAVIS, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Joel Devon Artis, Appellant Pro Se. Jane J. Jackson, Assistant United States Attorney, Laura Howard, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Joel Devon Artis appeals from the district court's denial of his 18 U.S.C. § 3582(c)(2) (2012) motions to reduce his drug possession sentences in light of Amendment 782 to the Sentencing Guidelines. The district court first stated that it lacked the discretion to reduce Artis' sentences. Our subsequent decision in *United States v. Muldrow*, 844 F.3d 437, 439 (4th Cir. 2016), undermines this conclusion. However, the district court alternately reasoned that, even if it had the discretion to lower Artis' sentences, it would decline to do so in order to protect public safety and in view of Artis' poor performance on supervision. We conclude that this alternate ruling does not constitute an abuse of discretion.

Accordingly, we affirm the district court's order. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED