

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 20-6969

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

SHAWN ADAMSON,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Newport News. Robert G. Doumar, Senior District Judge. (4:11-cr-00088-RGD-FBS-3)

Submitted: December 2, 2020

Decided: December 15, 2020

Before DIAZ and HARRIS, Circuit Judges, and SHEDD, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Shawn Adamson, Appellant Pro Se. Eric Matthew Hurt, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Newport News, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Shawn Adamson appeals from the denial of his motion for compassionate release. He seeks release based upon his susceptibility to COVID-19 and the particular alleged risks at FCI Danbury. We affirm.

The district court may reduce a term of imprisonment under 18 U.S.C. § 3582(c)(1)(A)(i), as amended by the First Step Act of 2018, Pub. L. No. 115-391, § 603(b)(1), 132 Stat. 5194, 5239, if “extraordinary and compelling reasons warrant such a reduction,” upon a motion by the Director of the Bureau of Prisons (BOP) or by “the defendant after the defendant has fully exhausted all administrative rights to appeal a failure of the [BOP] to bring a motion on the defendant’s behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant’s facility, whichever is earlier,” 18 U.S.C. § 3582(c)(1)(A). We review a district court’s ruling on a motion for compassionate release for abuse of discretion. *See United States v. Chambliss*, 948 F.3d 691, 693 (5th Cir. 2020). The Sentencing Commission has set forth circumstances that constitute “extraordinary and compelling reasons” for compassionate release, including, among others, a defendant’s age and medical condition. U.S. Sentencing Guidelines Manual § 1B1.13 cmt. n.1(A)-(B), (D), p.s. “In the context of the COVID-19 outbreak, courts have found extraordinary and compelling reasons for compassionate release when an inmate shows both a particularized susceptibility to the disease and a particularized risk of contracting the disease at his prison facility.” *United States v. Feiling*, 453 F. Supp. 3d 832, 841 (E.D. Va. 2020) (citing cases).

We find that Adamson has failed to show either a particularized high risk of susceptibility to coronavirus or a current particularized risk of contracting the disease at Danbury. Accordingly, we affirm. 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