

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 21-6974**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DAVIN JEROME STEWART,

Defendant - Appellant.

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Appeal from the United States District Court for the District of South Carolina, at Charleston. David C. Norton, District Judge. (2:09-cr-00295-DCN-1)

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Submitted: November 15, 2021

Decided: November 22, 2021

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Before WYNN and QUATTLEBAUM, Circuit Judges, and KEENAN, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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David Jerome Stewart, Appellant Pro Se. Sean Kittrell, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Charleston, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Davin Jerome Stewart appeals the district court's order denying his motion for compassionate release pursuant to 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. Upon review, we discern no abuse of discretion in the district court's determination that Stewart did not establish extraordinary and compelling reasons warranting his early release. *See United States v. Kibble*, 992 F.3d 326, 329–30 (4th Cir. 2021) (providing standard of review and outlining steps for evaluating compassionate release motions). 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*