

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 23-6495**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DALLAS EDWARD WEBER, JR.,

Defendant - Appellant.

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Appeal from the United States District Court for the Northern District of West Virginia, at  
Clarksburg. Thomas S. Kleeh, Chief District Judge. (1:21-cr-00020-TSK-MJA-1)

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Submitted: September 28, 2023

Decided: October 3, 2023

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Before NIEMEYER, THACKER, and RUSHING, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Dallas Edward Weber, Jr., Appellant Pro Se. Sarah Wagner, Assistant U. S. Attorney,  
OFFICE OF THE UNITED STATES ATTORNEY, Clarksburg, West Virginia, for  
Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Dallas Edward Weber, Jr., appeals the district court’s order denying his motion for compassionate release 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. We review the district court’s ruling on a motion for compassionate release for abuse of discretion. *United States v. Bethea*, 54 F.4th 826, 831 (4th Cir. 2022). Upon review of the record, we discern no abuse of discretion in the district court’s determination that Weber failed to present an extraordinary and compelling reason for release based on his challenge to the court’s jurisdiction over his criminal prosecution. *See United States v. Ferguson*, 55 F.4th 262, 272 (4th Cir. 2022) (“[A] compassionate release motion cannot be used to challenge the validity of a defendant’s conviction or sentence.”), *petition for cert. filed*, No. 22-1216 (U.S. June 16, 2023). Accordingly, we deny the Government’s motion to dismiss the appeal and 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*