

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-7061

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CHRISTOPHER K. WILSON, JR.,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at
Newport News. Arenda L. Wright Allen, District Judge. (4:15-cr-00021-AWA-LRL-1)

Submitted: December 21, 2021

Decided: December 27, 2021

Before KING and QUATTLEBAUM, Circuit Judges, and TRAXLER, Senior Circuit
Judge.

Affirmed by unpublished per curiam opinion.

Christopher K. Wilson, Jr., Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Christopher K. Wilson, Jr., appeals the district court's order denying his counseled 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 ruling. *See United States v. Kibble*, 992 F.3d 326, 329-30 (4th Cir.) (providing standard of review and outlining steps for evaluating compassionate release motions), *cert. denied*, 142 S. Ct. 383 (2021).

Specifically, in its opposition to Wilson's compassionate release motion, the Government argued that Wilson did not satisfy the threshold requirement, set forth in 18 U.S.C. § 3582(c)(1)(A), that an inmate first request that the warden of his institution file a motion for compassionate release before moving for such relief in the district court. *Accord United States v. Muhammad*, 16 F.4th 126, 129-30 (4th Cir. 2021) (discussing threshold requirement, which "plainly requires [an inmate] to complete certain steps before filing his motion in the district court," but observing that it is "non-jurisdictional, and thus waived if it is not timely raised"). Despite the Government clearly raising the issue, Wilson did not provide any objective evidence to establish his satisfaction of the statutory threshold requirement. Accordingly, we affirm the district court's order. *See United States v. Wilson*, No. 4:15-cr-00021-AWA-LRL-1 (E.D. Va. June 25, 2021). 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