

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 21-7265**

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UNITED STATES OF AMERICA,

Plaintiff – Appellee,

v.

DAVID GLENN GREEN,

Defendant – Appellant.

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Appeal from the United States District Court for the Western District of North Carolina, at Statesville. Kenneth D. Bell, District Judge. (5:00-cr-00034-KDB-1)

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Submitted: February 10, 2023

Decided: May 31, 2023

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Before AGEE and RUSHING, Circuit Judges, and Joseph DAWSON III, United States District Judge for the District of South Carolina, sitting by designation.

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Affirmed by unpublished per curiam opinion.

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**ON BRIEF:** James Wyda, Federal Public Defender, Baltimore, Maryland, Sapna Mirchandani, Assistant Federal Public Defender, OFFICE OF THE FEDERAL PUBLIC DEFENDER, Greenbelt, Maryland, for Appellant. Dena J. King, United States Attorney, Elizabeth M. Greenough, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Charlotte, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David Glenn Green appeals the district court's orders denying his motions for compassionate release and for reconsideration. The district court concluded that Green failed to demonstrate extraordinary and compelling reasons for relief and that the relevant 18 U.S.C. § 3553(a) factors independently weighed against early release. *United States v. Green*, No. 5:00-cr-00034-KDB-1 (W.D.N.C. July 19, 2021). In his opening brief on appeal, Green challenges only the district court's extraordinary-and-compelling-reasons determination, thereby abandoning any argument as to the § 3553(a) factors. *See Brown v. Nucor Corp.*, 785 F.3d 895, 918 (4th Cir. 2015). Because the district court's § 3553(a) analysis, which we find to be well reasoned and supported by the record, constituted an independent basis for the denial of Green's motions, we affirm the district court's judgment on that ground without expressing any views on the court's extraordinary-and-compelling-reasons determination. *See United States v. Bethea*, 54 F.4th 826, 831 (4th Cir. 2022).

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 in the decisional process.

*AFFIRMED*