

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-7621

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

KENNETH FUQUAN ARTIS,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Greenville. Richard E. Myers II, Chief District Judge. (4:11-cr-00050-M-1)

Submitted: May 19, 2022

Decided: May 23, 2022

Before MOTZ and HARRIS, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

ON BRIEF: G. Alan DuBois, Federal Public Defender, Eric Joseph Brignac, Chief Appellate Attorney, OFFICE OF THE FEDERAL PUBLIC DEFENDER, Raleigh, North Carolina, for Appellant. Michael F. Easley, Jr., United States Attorney, David A. Bragdon, Jennifer C. Nucci, Assistant United States Attorneys, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kenneth Fuquan Artis appeals the district court's order denying his 18 U.S.C. § 3582(c)(1)(A) motion for compassionate release. We review a district court's order granting or denying a compassionate release motion for abuse of discretion. *United States v. Kibble*, 992 F.3d 326, 329 (4th Cir.) (stating standard of review), *cert. denied*, 142 S. Ct. 383 (2021). We have reviewed the record and conclude that the district court did not abuse its discretion. Even if the district court's extraordinary and compelling reasons analysis was erroneous, the court also denied Artis' motion based on its review of the applicable 18 U.S.C. § 3553(a) factors. We conclude that the district court sufficiently explained the reasons for the denial and did not abuse its discretion in determining that the applicable 18 U.S.C. § 3553(a) factors, in consideration with Artis' evidence of rehabilitation, did not support a sentence reduction. *See United States v. High*, 997 F.3d 181, 188-91 (4th Cir. 2021) (discussing amount of explanation required for denial of compassionate release motion). We therefore 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