

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-6574

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ERNEST DAILEY,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at
Wilmington. Terrence W. Boyle, District Judge. (7:14-cr-00072-BO-1)

Submitted: November 17, 2022

Decided: November 23, 2022

Before KING, QUATTLEBAUM, and RUSHING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Ernest Dailey, Appellant Pro Se. John Parks Newby, Assistant United States Attorney,
OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Ernest Dailey appeals the district court's order denying his 18 U.S.C. § 3582(c)(1)(A) motion for compassionate release. We have reviewed the record and find no abuse of discretion in the district court's conclusion that, even if extraordinary and compelling reasons existed, the 18 U.S.C. § 3553(a) factors did not warrant release. *See United States v. Kibble*, 992 F.3d 326, 329 (4th Cir.) (stating standard of review), *cert. denied*, 142 S. Ct. 383 (2021). Accordingly, we affirm. *United States v. Dailey*, No. 7:14-cr-00072-BO-1 (E.D.N.C. Apr. 27, 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 the decisional process.

AFFIRMED