

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-6853

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOHN DEVERE BATTLE, a/k/a Gotti,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Terrence W. Boyle, District Judge. (5:17-cr-00111-BO-1)

Submitted: November 17, 2022

Decided: November 23, 2022

Before KING, QUATTLEBAUM, and RUSHING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

John Devere Battle, 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Unpublished opinions are not binding precedent in this circuit.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:

John Devere Battle appeals the district court's order denying his motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A). After reviewing the record, we conclude that the district court did not abuse its discretion in denying Battle's motion. *See United States v. Kibble*, 992 F.3d 326, 329 (4th Cir.) (per curiam) (stating standard), *cert. denied*, 142 S. Ct. 383 (2021). Accordingly, we affirm the district court's judgment. *United States v. Battle*, No. 5:17-cr-00111-BO-1 (E.D.N.C. July 18, 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