

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-6936

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MUHAMMED MAHDEE ABDULLAH,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at
Raleigh. Louise W. Flanagan, District Judge. (5:04-cr-00371-FL-1)

Submitted: January 20, 2023

Decided: May 16, 2023

Before WYNN, DIAZ, and HARRIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Muhammed Mahdee Abdullah, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Muhammed Mahdee Abdullah appeals the district court’s order denying his 18 U.S.C. § 3582(c)(1)(A) motion for compassionate release. We review the court’s order for abuse of discretion. *United States v. Malone*, 57 F.4th 167, 172 (4th Cir. Jan. 5, 2023). “A district court has abused its discretion when it acts arbitrarily or irrationally, fails to consider judicially recognized factors constraining its exercise of discretion, relies on erroneous factual or legal premises, or commits an error of law.” *Id.* (cleaned up). We have reviewed the record and conclude that the district court did not abuse its discretion in determining that Abdullah was still a career offender. *See United States v. Groves*, ___ F.4th ___, ___, 2023 WL 2941415, at *7 (4th Cir. 2023) (“[A]lthough the Guidelines exclude attempt offenses, § 841(a)(1) does not criminalize attempt[s] such that an § 841(a)(1) distribution offense would be categorically disqualified from being treated as a “controlled substance offense.”)* 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

* This Court limits review to issues raised in the informal brief. *See* 4th Cir. R. 34(b); *see also Jackson v. Lightsey*, 775 F.3d 170, 177 (4th Cir. 2014).