

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-7328

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

WILLIAM SCOTT DAVIS, JR.,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at
Raleigh. James C. Dever III, District Judge. (5:14-cr-00240-D-1)

Submitted: March 21, 2023

Decided: March 24, 2023

Before WYNN and RICHARDSON, Circuit Judges, and KEENAN, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

William Scott Davis, Jr., 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Unpublished opinions are not binding precedent in this circuit.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:

William Scott Davis, Jr., appeals the district court's order denying his motion for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A), as amended by the First Step Act of 2018, Pub. L. No. 115-391, 132 Stat. 5194. We review the district court's order for abuse of discretion. *See United States v. Kibble*, 992 F.3d 326, 329 (4th Cir.), *cert. denied*, 142 S. Ct. 383 (2021). A district court abuses 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.” *United States v. High*, 997 F.3d 181, 187 (4th Cir. 2021) (cleaned up). After reviewing the record in this case, we conclude that the district court did not abuse its discretion in weighing the 18 U.S.C. § 3553(a) factors and concluding they did not support granting Davis' motion. Therefore, we affirm the district court's order. We deny Davis' pending motions. 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