

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 23-6889**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ALBERT CHARLES BURGESS, JR.,

Defendant - Appellant.

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Appeal from the United States District Court for the Western District of North Carolina, at Asheville. Graham C. Mullen, Senior District Judge. (1:09-cr-00017-GCM-WCM-1)

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Submitted: October 31, 2023

Decided: November 3, 2023

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Before HARRIS and QUATTLEBAUM, Circuit Judges, and KEENAN, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Albert Charles Burgess, Jr., Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Albert Charles Burgess, Jr., appeals the district court's order denying his 18 U.S.C. § 3582(c)(1)(A) motion for compassionate release. After review of the record, we conclude that the district court did not abuse its discretion in determining that such release was not warranted in light of relevant 18 U.S.C. § 3553(a) factors after balancing those factors against Burgess' arguments. *See United States v. Bethea*, 54 F.4th 826, 831, 834 (4th Cir. 2022) (noting standard of review, conclusions district court must draw to grant motion, and guideposts for determining whether court has abused its discretion in considering 18 U.S.C. § 3553(a) factors). Accordingly, we affirm the court's order. *United States v. Burgess*, No. 1:09-cr-00017-GCM-WCM-1 (W.D.N.C. Aug. 17, 2023). 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*