

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 24-6456**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DAVID NEIL PHILLIPS, a/k/a Neil Phillips,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of North Carolina, at  
Raleigh. Louise W. Flanagan, District Judge. (5:12-cr-00236-FL-1)

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Submitted: July 30, 2024

Decided: August 2, 2024

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Before NIEMEYER, AGEE, and HEYTENS, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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David Neil Phillips, Appellant Pro Se. Michael Gordon James, Assistant United States  
Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina,  
for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David Neil Phillips appeals the district court's order denying relief on his 18 U.S.C. § 3582(c)(1)(A)(i) motion for compassionate release. Upon review, we discern no abuse of discretion in the district court's determination that, under the pertinent 18 U.S.C. § 3553(a) sentencing factors, compassionate release was not warranted. *See United States v. Kibble*, 992 F.3d 326, 329-31 (4th Cir. 2021) (providing standard of review and outlining steps for evaluating compassionate release motions). Accordingly, we deny Phillips' motion to appoint counsel and 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*