

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

February 12, 2010

Charles R. Fulbruge III  
Clerk

\_\_\_\_\_  
No. 09-30379

Conference Calendar  
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UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

EUGENE TROY ELLIS,

Defendant-Appellant

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Appeal from the United States District Court  
for the Eastern District of Louisiana  
USDC No. 2:99-CR-161-1  
\_\_\_\_\_

Before GARZA, DENNIS, and ELROD, Circuit Judges.

PER CURIAM:\*

Eugene Troy Ellis, federal prisoner # 26492-034, appeals from the grant of his 18 U.S.C. § 3582(c)(2) motion, which reduced the sentence he is serving for the offense of possession with the intent to distribute crack cocaine to a term within the amended guidelines range. We affirm.

Ellis argues that the reduction in his sentence from 240 months of imprisonment to 210 months of imprisonment was an abuse of the district court's discretion. He contends that, in view of his good prison record and his

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

supportive family, he was entitled to a greater reduction in his sentence of imprisonment, and he asserts that the district court did not give sufficient weight to the sentencing factors that favor a greater reduction.

Ellis's contentions are foreclosed by *United States v. Evans*, 587 F.3d 667, 673-74 (5th Cir. 2009). As we explained in *Evans*, the district court is under no obligation to reduce a sentence at all and, thus, is under no obligation to reduce it even further within the recalculated range. *Id.* To the extent that Ellis is asserting that the district court did not sufficiently explain its reasons in support of the reduced sentence, *Evans* also forecloses such an argument. The court held in *Evans* that a district court is "not required to state findings of facts and conclusions of law" when granting or denying a motion under § 3582(c)(2). *Id.* at 674 (quotation marks and citation omitted).

AFFIRMED.