

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

\_\_\_\_\_  
No. 15-50447  
Summary Calendar  
\_\_\_\_\_

United States Court of Appeals  
Fifth Circuit

**FILED**

March 10, 2016

Lyle W. Cayce  
Clerk

SEALED APPELLEE,

Plaintiff-Appellee

v.

SEALED APPELLANT,

Defendant-Appellant

\_\_\_\_\_  
Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 2:11-CR-735  
\_\_\_\_\_

Before DAVIS, JONES, and GRAVES, Circuit Judges.

PER CURIAM:\*

Defendant-Appellant (Appellant) appeals the district court's denial of his 18 U.S.C. § 3582(c)(2) motion in which he sought a reduction of his 112-month sentence for conspiracy to distribute a controlled substance based on Amendment 782 to the Sentencing Guidelines. We review the denial of a motion for sentence reduction under § 3582(c)(2) for an abuse of discretion. *United States v. Evans*, 587 F.3d 669, 672 (5th Cir. 2009).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Appellant argues that the district court gave excessive weight to his criminal history and failed to consider the need to avoid unwarranted sentencing disparities. The record shows that the district court gave due consideration to the § 3582(c)(2) motion as a whole and considered both the 18 U.S.C. § 3553(a) factors, including the continuous nature of Appellant's criminal history and the danger that a reduced sentence would pose to the community. *See* U.S.S.G. § 1B1.10, comment. (n.1(B)). The court was under no obligation to reduce his sentence, and Appellant has not demonstrated that the court abused its discretion. *See Evans*, 587 F.3d at 672-73 & n.11; *see also United States v. Duhon*, 541 F.3d 391, 397 (5th Cir. 2008).

Accordingly, the order of the district court is AFFIRMED.