

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

No. 16-30626
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

December 16, 2016

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

CLINTON RODRIGUEZ, also known as South,

Defendant-Appellant

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 2:07-CR-352-9

Before KING, DENNIS, and COSTA, Circuit Judges.

PER CURIAM:*

Clinton Rodriguez appeals the district court's refusal to grant a sentence reduction under 18 U.S.C. § 3582(c)(2). Rodriguez argues that he was eligible for a sentence reduction and should have received one even though his initial sentence was twice reduced for his substantial assistance to authorities.

The district court correctly recognized that Rodriguez was eligible for a reduction, but it declined to award one, noting that Rodriguez's current 150-

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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month sentence was already well below the 240-month statutory minimum sentence he originally faced. The district court's decision is reviewed for an abuse of discretion, and it was not required to reduce the sentence simply because Rodriguez is eligible. *See United States v. Cooley*, 590 F.3d 293, 297 (5th Cir. 2009); *United States v. Evans*, 587 F.3d 667, 672 (5th Cir. 2009). The court considered the relevant factors and did not abuse its discretion by declining to award any further reduction. *See Cooley*, 590 F.3d at 297.

The judgment is AFFIRMED.