

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

April 29, 2022

Lyle W. Cayce
Clerk

No. 21-50196
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JESUS GREGORIO MACIAS-MUNOZ,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 3:92-CR-132-1

Before SOUTHWICK, OLDHAM, and WILSON, *Circuit Judges.*

PER CURIAM:*

Jesus Gregorio Macias-Munoz, federal prisoner # 62259-080, appeals the district court's denial of his 18 U.S.C. § 3582(c)(1)(A)(i) motion for compassionate release. He contends that the district court abused its discretion by improperly relying on the policy statement in U.S.S.G. § 1B1.13

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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to determine that he failed to show extraordinary and compelling reasons warranting relief. *See United States v. Shkambi*, 993 F.3d 388, 392-93 (5th Cir. 2021). In addition, Macias-Munoz argues that the district court did not independently consider the 18 U.S.C. § 3553(a) factors and contends that the district court should have given more weight to factors that tilted in his favor.

Here, the court adequately considered Macias-Munoz's arguments, and the record supports its conclusion that the § 3553(a) factors weighed against release. *See Chavez-Meza v. United States*, 138 S. Ct. 1959, 1965 (2018). Macias-Munoz has not shown that the district court abused its discretion in denying relief. *See United States v. Chambliss*, 948 F.3d 691, 693 (5th Cir. 2020). Because the district court's independent § 3553(a) analysis supports the dismissal, it is unnecessary to consider Macias-Munoz's arguments challenging the district court's conclusion that he failed to show extraordinary and compelling reasons warranting relief. *See United States v. Jackson*, 27 F.4th 1088, 1093 n.8 (5th Cir. 2022); *Ward v. United States*, 11 F.4th 354, 360-62 (5th Cir. 2021). Accordingly, the judgment of the district court is AFFIRMED.