

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

May 16, 2022

Lyle W. Cayce
Clerk

No. 21-60669
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

MERCEDES SANCHEZ,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 3:14-CR-39-1

Before DAVIS, JONES, and ELROD, *Circuit Judges.*

PER CURIAM:*

Mercedes Sanchez, federal prisoner # 19058-408, appeals the denial of her motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A). Through counsel, Sanchez contends that her ethnicity, medical conditions, including type 2 diabetes, hypertension, and obesity, combined with the

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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COVID-19 pandemic, constitute extraordinary and compelling reasons warranting early release. Sanchez also contends that family circumstances create extraordinary and compelling reasons because her 70-year-old mother, the sole caretaker of her four children, is suffering from deteriorating health conditions and no other family member is available to assist in caring for her young children.

We review the denial of a motion for compassionate release for an abuse of discretion. *See United States v. Chambliss*, 948 F.3d 691, 693 (5th Cir. 2020). Even assuming Sanchez's medical conditions may make her more vulnerable to a serious illness from COVID-19, the record reflects that her diabetes and hypertension are being effectively treated with medication, and she makes no argument that she would be denied similar care if she were to contract COVID-19 while incarcerated. *See United States v. Thompson*, 984 F.3d 431,435 (5th Cir.), *cert. denied*, 141 S. Ct. 2688 (2021). In addition, Sanchez has served less than half of her 240-month sentence. *See id.* Contrary to her contention, case law and the record support the conclusion that the conditions at her prison and her particular medical conditions are insufficiently compelling and extraordinary to entitle her to relief. *See United States v. Rodriguez*, 27 F.4th 1097, 1099-1101 & n.2 (5th Cir. 2022); *Thompson*, 984 F.3d at 433-35.

In light of Sanchez's failure to offer any evidence in support of her claim that family circumstances warrant compassionate release, the district court did not abuse its discretion in denying her motion. *See Chambliss*, 948 F.3d at 693. Accordingly, the judgment of the district court is AFFIRMED.