

United States Court of Appeals for the Fifth Circuit

No. 22-50425
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

November 2, 2022

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JONATHAN YUL ELLIS,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:06-CR-20-1

Before SMITH, WIENER, and ELROD, *Circuit Judges.*

PER CURIAM:*

Defendant-Appellant Jonathan Yul Ellis appeals the district court's denial of his motion for compassionate release. Ellis contends that his lengthy sentence constitutes an extraordinary and compelling reason for such release because, if he had been sentenced pursuant to the First Step Act, he would

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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not have received a mandatory consecutive 25-year sentence for his 18 U.S.C. § 924(c) conviction. Ellis also notes that the 18 U.S.C. § 3553(a) factors, including his participation in prison programs and his prison disciplinary record, weigh in favor of his release.

We review the district court's denial of compassionate release for abuse of discretion. *See United States v. Chambliss*, 948 F.3d 691, 693-94 (5th Cir. 2020). The district court diligently examined the § 3553(a) factors to reach its conclusion that Ellis is not entitled to relief. Ellis fails to show that the district court abused its discretion in that decision. *See id.* at 693. Because the district court's § 3553(a) analysis supports dismissal, we need not consider Ellis's arguments challenging the district court's finding 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).

The judgment of the district court is AFFIRMED.