

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-7223

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BRITNEY JOYCE ROBINSON,

Defendant - Appellant.

Appeal from the United States District Court for the Northern District of West Virginia, at
Clarksburg. Irene M. Keeley, Senior District Judge. (1:17-cr-00027-IMK-MJA-3)

Submitted: December 19, 2019

Decided: January 14, 2020

Before KEENAN, DIAZ, and RICHARDSON, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Britney Joyce Robinson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Britney Joyce Robinson appeals the district court's order denying her motion under Section 602 of the First Step Act of 2018, Pub. L. No. 115-391, 132 Stat. 5194. We review de novo the district court's interpretation of its authority under the First Step Act. *United States v. Venable*, 943 F.3d 187, 192 (4th Cir. 2019). Moreover, we may "affirm on any ground appearing in the record, including theories not relied upon or rejected by the district court." *United States v. Flores-Grandaos*, 783 F.3d 487, 491 (4th Cir. 2015) (internal quotation marks omitted). The district court did not err in denying Robinson's request for an order to be placed in home confinement or a halfway house because she is not eligible for such relief under the statute, as amended by the First Step Act. *See* 18 U.S.C.A. § 3624(c) (2015 & Supp. 2019). The district court correctly concluded that it lacked authority under the First Step Act to order a split sentence. *See United States v. Wirsing*, 943 F.3d 175, 183-86 (4th Cir. 2019). Therefore, we affirm the district court's order. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED