

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-6500

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MICHAEL ANTHONY MCINTOSH, a/k/a Lo, a/k/a Polo,

Defendant - Appellant.

Appeal from the United States District Court for the Northern District of West Virginia, at Martinsburg. Gina M. Groh, Chief District Judge. (3:15-cr-00044-GMG-RWT-1)

Submitted: June 29, 2021

Decided: July 2, 2021

Before HARRIS, RICHARDSON, and RUSHING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Michael Anthony McIntosh, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael Anthony McIntosh appeals the district court's order denying relief on his 18 U.S.C. § 3582(c)(1)(A)(i) motion for compassionate release. Upon review, we discern no abuse of discretion in the district court's determination both that McIntosh failed to establish an extraordinary and compelling basis for relief and that the pertinent 18 U.S.C. § 3553(a) sentencing factors militated against compassionate release. *See United States v. Kibble*, 992 F.3d 326, 329-31 (4th Cir. 2021) (providing standard of review and outlining steps for evaluating compassionate release motions). Accordingly, we deny McIntosh's motion to appoint counsel and affirm the district court's judgment. 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