

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-6560

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MARVIN ALEXANDER WRIGHT,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Beaufort.
Richard Mark Gergel, District Judge. (9:11-cr-00350-RMG-1)

Submitted: January 21, 2022

Decided: March 7, 2022

Before MOTZ and HARRIS, Circuit Judges, and SHEDD, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

ON BRIEF: Jeremy A. Thompson, Assistant Federal Public Defender, OFFICE OF THE FEDERAL PUBLIC DEFENDER, Columbia, South Carolina, for Appellant. M. Rhett DeHart, Acting United States Attorney, Columbia, South Carolina, Nick Bianchi, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Charleston, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Marvin Alexander Wright appeals the district court's order denying his motion for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A)(i), as amended by the First Step Act of 2018, Pub. L. No. 115-391, § 603(b)(1), 132 Stat. 5194, 5239. Upon review, we discern no abuse of discretion in the district court's determination that Wright failed to establish extraordinary and compelling reasons warranting his early release. *See United States v. Kibble*, 992 F.3d 326, 329-30 (4th Cir.), *cert. denied*, 142 S. Ct. 383 (2021) (providing standard of review and outlining steps for evaluating compassionate release motions); *see also United States v. McCoy*, 981 F.3d 271, 282 n.7 (4th Cir. 2020) (providing that, although courts may not treat U.S. Sentencing Guidelines Manual § 1B1.13, p.s. (2018) as binding, the policy statement "remains helpful guidance even when motions are filed by defendants"). Accordingly, 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