

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-6743

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DARRYL ANTONIO WRIGHT, a/k/a Kimo,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at
Columbia. Terry L. Wooten, Senior District Judge. (3:19-cr-00986-TLW-8)

Submitted: May 20, 2024

Decided: June 7, 2024

Before HARRIS, RICHARDSON, and HEYTENS, Circuit Judges.

Vacated and remanded by unpublished per curiam opinion.

Darryl Antonio Wright, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Darryl Antonio Wright appeals the district court's order construing his sentence reduction motion as a motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i) and dismissing it without prejudice for failure to exhaust administrative remedies. Wright also appeals the court's order denying his motion for reconsideration. The record discloses that Wright filed his motion pursuant to 18 U.S.C. § 3582(c)(2), which does not require exhaustion, and sought relief based upon U.S. Sentencing Guidelines Manual § 4A1.1. Accordingly, we vacate the district court's orders and remand with instructions to consider Wright's motion under 18 U.S.C. § 3582(c)(2). 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.

VACATED AND REMANDED