

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-6977

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MICHAEL PAUL PUZEY, a/k/a Big Pete,

Defendant - Appellant.

Appeal from the United States District Court for the Northern District of West Virginia, at Martinsburg. Gina M. Groh, District Judge. (3:00-cr-00057-GMG-RWT-16)

Submitted: November 16, 2023

Decided: November 28, 2023

Before KING and AGEE, Circuit Judges, and KEENAN, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Michael Paul Puzey, Appellant Pro Se. Jennifer Therese Conklin, OFFICE OF THE UNITED STATES ATTORNEY, Wheeling, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael Paul Puzey, a federal prisoner, appeals the district court's September 11, 2023, order upon remand that again denied his motion for compassionate release and reinstated motion for compassionate release. Having reviewed the record, we conclude that the district court did not abuse its discretion in determining that the 18 U.S.C. § 3553(a) factors weighed against compassionate release. *See United States v. Malone*, 57 F.4th 167, 172 (4th Cir. 2023) (explaining standard of review). 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