

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-6482

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

LUIS ENRRIQUE ARROYO-JIMENEZ,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Greenville. James C. Dever III, District Judge. (4:19-cr-00048-D-2)

Submitted: August 22, 2024

Decided: August 27, 2024

Before WILKINSON, WYNN, and RICHARDSON, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Luis Enrique Arroyo-Jimenez, Appellant Pro Se. David A. Bragdon, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Luis Arroyo-Jimenez appeals the district court's order denying his 18 U.S.C. § 3582(c)(2) motion for a sentence reduction based on Amendment 821 to the Sentencing Guidelines. We review the denial of a motion under § 3582(c)(2) for abuse of discretion. *United States v. Martin*, 916 F.3d 389, 395 (4th Cir. 2019). In considering a motion for a sentence reduction under § 3582(c)(2), the district court must first determine whether the movant is eligible for a reduction and the extent of the reduction authorized. *Id.* The court must then "consider any applicable [18 U.S.C.] § 3553(a) factors and determine whether, in its discretion, the reduction authorized by reference to the [Guidelines] policies . . . is warranted in whole or in part under the particular circumstances of the case." *Dillon v. United States*, 560 U.S. 817, 827 (2010). Here, the district court found that Arroyo-Jimenez was eligible for a sentence reduction but declined to exercise its discretion to reduce his sentence based on its assessment of the § 3553(a) factors. We discern no abuse of discretion in the district court's decision. 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