

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-7046

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

PHILLIP D. BOSKET,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Arenda L. Wright Allen, District Judge. (2:13-cr-00111-AWA-TEM-1)

Submitted: March 27, 2025

Decided: April 1, 2025

Before THACKER and BERNER, Circuit Judges, and KEENAN, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Phillip D. Bosket, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Phillip D. Bosket appeals the district court's order denying relief on his 18 U.S.C. § 3582(c)(1)(A) motion for compassionate release. We review the denial of compassionate release under § 3582(c)(1)(A) for an abuse of discretion. *United States v. Brown*, 78 F.4th 122, 127 (4th Cir. 2023). "In doing so, we ensure that the district court has not acted arbitrarily or irrationally, has followed the statutory requirements, and has conducted the necessary analysis for exercising its discretion." *Id.* (internal quotation marks omitted). "To grant a compassionate release motion, the district court must conclude that the prisoner is eligible for a sentence reduction because he has shown extraordinary and compelling reasons supporting relief, and that release is appropriate under the 18 U.S.C. § 3553(a) sentencing factors, to the extent those factors are applicable." *Id.* at 128 (internal quotation marks, brackets, and ellipsis omitted).

On appeal, Bosket challenges the district court's conclusions that he failed to demonstrate extraordinary and compelling reasons for release and that an intervening change in the law in *United States v. Taylor*, 596 U.S. 845 (2022), did not apply to his case. We discern no abuse of discretion. The district court adequately addressed Bosket's arguments that his age, weight, history of smoking, and underlying health conditions constituted extraordinary and compelling reasons for release in light of the COVID-19 pandemic and explained why it rejected his arguments. Moreover, the court did not err in determining that *Taylor* is inapplicable to Bosket's case because his 18 U.S.C. § 924(c)(1)(A)(ii) conviction was predicated on his commission of bank robbery, in violation of 18 U.S.C. § 2113(a).

Accordingly, we affirm the district court's order. *United States v. Bosket*, No. 2:13-cr-00111-AWA-TEM-1 (E.D. Va. Oct. 10, 2024). 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