

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-7057

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RUSSELL DWAYNE GAUSE, a/k/a Rut,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Florence.
Sherri A. Lydon, District Judge. (4:22-cr-00058-SAL-2)

Submitted: April 24, 2025

Decided: April 29, 2025

Before RICHARDSON and BENJAMIN, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Russell Dwayne Gause, Appellant Pro Se. Lauren L. Hummel, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Florence, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Russell Dwayne Gause appeals the district court's order denying him a sentence reduction under 18 U.S.C. § 3582(c)(2) 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 whether to reduce a sentence under § 3582(c)(2), the district court must first determine whether the individual is eligible for a reduction and, if so, 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 policies relevant at step one 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 Gause 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. Because we discern no abuse of discretion in the district court's decision, we affirm the court's order. *United States v. Gause*, No. 4:22-cr-00058-SAL-2 (D.S.C. Oct. 24, 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