

**UNPUBLISHED**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 25-6580**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

AGUSTIN GOMEZ-ROJAS,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Dever III, District Judge. (5:19-cr-00308-D-1)

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Submitted: November 20, 2025

Decided: November 25, 2025

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Before THACKER, HARRIS, and QUATTLEBAUM, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Agustin Gomez-Rojas, Appellant Pro Se. David A. Bragdon, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Agustin Gomez-Rojas appeals the district court's order denying his 18 U.S.C. § 3582(c)(2) motion for a sentence reduction pursuant to Amendment 821 to the Sentencing Guidelines. Part A of Amendment 821 limits the impact of "status points," which are "additional criminal history points given to defendants for the fact of having committed the instant offense while under a criminal justice sentence, including probation, parole, supervised release, imprisonment, work release, or escape status." U.S. Sentencing Guidelines Manual § 1B1.10 cmt. n.7 (2024).

"We review a district court's decision [whether] to reduce a sentence under § 3582(c)(2) de novo." *United States v. Mann*, 709 F.3d 301, 304 (4th Cir. 2013). Our review of the record reveals no error. The court understood its authority to reduce Gomez-Rojas's sentence and recognized Gomez-Rojas's postsentencing rehabilitative conduct, but the court declined to grant a reduction based on its review of the 18 U.S.C. § 3553(a) factors.

Accordingly, we deny Gomez-Rojas's motions to appoint counsel and to waive service, and we affirm the district court's order. *United States v. Gomez-Rojas*, No. 5:19-cr-308-D-1 (E.D.N.C. July 15, 2025). 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*