

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals
For the Seventh Circuit
Chicago, Illinois 60604

Submitted April 5, 2023*

Decided April 6, 2023

BeforeDAVID F. HAMILTON, *Circuit Judge*AMY J. ST. EVE, *Circuit Judge*JOHN Z. LEE, *Circuit Judge*

No. 22-2807

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

JESSIE L. TRAYLOR,
Defendant-Appellant.

Appeal from the United States District
Court for the Central District of Illinois.

No. 08-cr-20036

Michael M. Mihm,
Judge.

ORDER

Jessie Traylor, a federal prisoner, appeals the denial of his motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i). The district court rejected his arguments that a change in the law governing a predicate offense used to enhance his

* We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

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original sentence, and the denial of a petition for habeas corpus based on that change, were extraordinary and compelling reasons for his release. We affirm.

Traylor is serving a sentence for a 2009 conviction for conspiring to distribute and to possess with intent to distribute five or more kilograms of cocaine, 21 U.S.C. §§ 846, 841. Because of two prior convictions for felony drug offenses, he was sentenced to a then-mandatory term of life in prison. *Id.* § 841(b)(1)(A) (2009). We affirmed his convictions and sentences, *United States v. Traylor*, 405 F. App'x 73 (7th Cir. 2011), and his first motion under 28 U.S.C. § 2255 was denied, *Traylor v. United States*, No. 12-CV-2001, 2012 WL 4760721, at *3 (C.D. Ill. Oct. 5, 2012). In January 2017, his sentence was reduced to 240 months' imprisonment through a presidential grant of clemency.

After our decision in *Najera-Rodriguez v. Barr*, 926 F.3d 343, 347 (7th Cir. 2019), Traylor filed a petition for writ of habeas corpus under 28 U.S.C. § 2241, arguing that his sentence was unlawful because his prior Illinois drug-possession conviction is not a “felony drug offense” under § 841(b)(1)(A). The petition—filed in the district where he was then in custody—was denied, and the decision was summarily affirmed. *See Traylor v. Knight*, No. 22-6647, 2023 WL 356035 (4th Cir. Jan. 23, 2023).

While that Fourth Circuit appeal was pending, Traylor moved for compassionate release under § 3582(c)(1)(A)(i). He asserted that he no longer qualifies for an enhanced sentence and that his habeas petition raising this argument had been wrongly denied. The district court concluded that neither reason supported an early release. (It also found that Traylor had not exhausted his administrative remedies, but the government now withdraws that defense.)

Traylor argues again on appeal that he is entitled to early release because his statutory sentencing enhancement is invalid under current law. But we have repeatedly rejected the argument that new judicial decisions or non-retroactive statutory changes are grounds for compassionate release. Such developments are “the ordinary business of the legal system,” *United States v. King*, 40 F.4th 594, 595 (7th Cir. 2022), and so “purely legal contention[s]” based on these changes are not “extraordinary and compelling.” *United States v. Von Vader*, 58 F.4th 369, 371 (7th Cir. 2023). Therefore, the district court determined correctly that Traylor was not entitled to relief.

Finally, because we cannot review the decisions of courts in another circuit, we do not address Traylor's remaining arguments about his habeas petition.

AFFIRMED