

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-6432

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BOBBY LEON JOHNSON,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at
Charlotte. Martin K. Reidinger, Chief District Judge. (3:01-cr-00210-MR-1)

Submitted: July 20, 2021

Decided: July 23, 2021

Before WILKINSON, AGEE, and DIAZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Bobby Leon Johnson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Bobby Leon Johnson appeals the district court's orders denying his motion for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A)(i), as amended by the First Step Act of 2018, Pub. L. No. 115-391, § 603(b)(1), 132 Stat. 5194, 5239, and his motion for appointment of counsel. Upon review, we discern no abuse of discretion in the district court's determination that compassionate release was not warranted. *See United States v. Kibble*, 992 F.3d 326, 329 (4th Cir. 2021) (providing standard of review and outlining steps for evaluating compassionate release motions). We also find no abuse of discretion in the district court's denial of Johnson's motion for appointment of counsel. *See United States v. Legree*, 205 F.3d 724, 730 (4th Cir. 2000) (holding criminal defendant has no right to counsel in 18 U.S.C. § 3582(c) proceedings). Accordingly, we affirm the district court's orders. 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