

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-6282

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ROBERT EDWARD TILLERY,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Terrence W. Boyle, District Judge. (5:01-cr-00253-BO-1)

Submitted: August 24, 2023

Decided: August 29, 2023

Before QUATTLEBAUM and HEYTENS, Circuit Judges, and MOTZ, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

ON BRIEF: G. Alan DuBois, Federal Public Defender, Jennifer C. Leisten, Assistant Federal Public Defender, OFFICE OF THE FEDERAL PUBLIC DEFENDER, Raleigh, North Carolina, for Appellant. Michael F. Easley, Jr., United States Attorney, Andrew A. Kasper, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robert Edward Tillery appeals the district court's order denying his 18 U.S.C. § 3582(c)(1)(A) motion for compassionate release. After review of the record, we conclude that the district court did not abuse its discretion in determining that such release was not warranted in light of relevant 18 U.S.C. § 3553(a) factors after balancing those factors against Tillery's arguments. See *United States v. Bethea*, 54 F.4th 826, 831, 834 (4th Cir. 2022) (noting standard of review, conclusions district court must draw to grant motion, and guideposts for determining whether court has abused its discretion in considering 18 U.S.C. § 3553(a) factors). Accordingly, we affirm the court's order. *United States v. Tillery*, No. 5:01-cr-00253-BO-1 (E.D.N.C. Mar. 22, 2023). 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