

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-6880

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

AMOS JUNIOR SCOTT, a/k/a Crazy,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Asheville. Martin K. Reidinger, Chief District Judge. (1:00-cr-00069-MR-5)

Submitted: January 30, 2024

Decided: February 6, 2024

Before KING, AGEE, and THACKER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Amos Junior Scott, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Amos Junior Scott appeals the district court's order denying his second 18 U.S.C. § 3582(c)(1)(A) motion for compassionate release. Upon review, we conclude that the district court did not abuse its discretion in adjudicating Scott's motion. *See United States v. Bethea*, 54 F.4th 826, 831, 834 (4th Cir. 2022) (noting standard of review, determinations district court must make before granting compassionate release motion, and guideposts for determining whether district court has abused its discretion in considering 18 U.S.C. § 3553(a) factors). Specifically, the court accurately recounted Scott's arguments, referenced the rationale set forth in the court's prior orders related to Scott's first compassionate release motion, and again denied relief in light of the relevant 18 U.S.C. § 3553(a) factors. And despite Scott's claim to the contrary, we discern no error in the court relying on *United States v. Ferguson*, 55 F.4th 262, 271-72 (4th Cir. 2022), to hold that Scott could not challenge the validity of his underlying conviction or the initial sentence in a compassionate release motion.

Accordingly, we affirm the district court's order. *United States v. Scott*, No. 1:00-cr-00069-MR-5 (W.D.N.C. Aug. 18, 2023). We deny Scott's motion for the appointment of counsel. 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