

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

MICHAEL CARTER,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

On Petition for Writ of Certiorari
to the United States Court of Appeals for the Fifth Circuit

APPENDIX

	<i>Pages</i>
A. Opinion of the United States Court of Appeals for the Fifth Circuit (Feb. 3, 2021).....	1–2

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

February 3, 2021

Lyle W. Cayce
Clerk

No. 20-30305
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

MICHAEL CARTER,

Defendant—Appellant.

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 2:05-CR-229-1

Before HIGGINBOTHAM, JONES, and COSTA, *Circuit Judges*.

PER CURIAM:*

Michael Carter, federal prisoner # 29578-034, has appealed the district court's order denying his motion for resentencing pursuant to Section 404 of the First Step Act of 2018. He asserts that the district court failed to properly consider all the statutory sentencing factors, conduct an

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 20-30305

individualized assessment of his unique circumstances, and provide a sufficient explanation of its reasons for denying his motion. He has not shown that the district court abused its discretion. *See United States v. Batiste*, 980 F.3d 466, 477-79 (5th Cir. 2020). Carter also asserts that the district court's decision was substantively unreasonable. As he now concedes, this issue is foreclosed. *See id.* at 479-80. The district court's order is AFFIRMED.