

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

ANDREA LAMONT MEDLOCK,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

APPENDIX

/s/ Kevin Joel Page

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Appendix A Opinion of Fifth Circuit, CA No. 22-11217, *United States v. Medlock*, 2023 WL 4421385 (5th Cir. July 10, 2023)(unpublished).

Appendix B Judgment of Revocation of Supervised Release of the United States District Court for the Northern District of Texas, entered December 15, 2022. *United States v. Medlock*, Dist. Court 3:21-CR-368-X.

APPENDIX A

United States Court of Appeals for the Fifth Circuit

No. 22-11217
Summary Calendar

United States Court of Appeals
Fifth Circuit
FILED
July 10, 2023

UNITED STATES OF AMERICA,

Lyle W. Cayce
Clerk

Plaintiff—Appellee,

versus

ANDREA LAMONT MEDLOCK,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:21-CR-368-1

Before KING, HAYNES, and GRAVES, *Circuit Judges.*

PER CURIAM:*

Andrea Lamont Medlock appeals the 24-month within-guidelines prison sentence he received for violating the terms of his supervised release. Medlock argues that the revocation of his supervised release and 24-month statutory maximum sentence is plainly unreasonable because the facts of the case do not warrant this level of severity. When a defendant properly

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

No. 22-11217

preserves an objection for appeal, revocation sentences are reviewed under a “plainly unreasonable” standard. *United States v. Warren*, 720 F.3d 321, 326 (5th Cir. 2013) (internal quotation marks and citation omitted). “A sentence is substantively unreasonable if it (1) does not account for a factor that should have received significant weight, (2) gives significant weight to an irrelevant or improper factor, or (3) represents a clear error of judgment in balancing the sentencing factors.” *Id.*

The record indicates the district court employed an individualized, reasoned, and fact-specific analysis consistent with the permissible § 3553 (a) factors. *Warren*, 720 F.3d at 332-33. Specifically, the district court addressed Medlock’s history and characteristics and found that deterring criminal conduct while protecting the public from Medlock was the dominant, overriding factor, considering the evidence that Medlock committed an assault. Medlock fails to show the court’s weighing of these factors was plainly unreasonable. In addition, although Medlock contends that he was entitled to consideration for acceptance of responsibility because he pleaded true to some of the violations, the district court did not err by declining to consider what amounts to a disagreement with the policy of the Guidelines. *See, e.g., United States v. Mondragon-Santiago*, 564 F.3d 357, 367 (5th Cir. 2009).

AFFIRMED.

APPENDIX B

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE
(For Revocation of Probation or Supervised Release)

v.

ANDREA LAMONT MEDLOCK

Case Number: 3:21-CR-00368-X(1)

USM Number: 36409-180

Douglas A Morris

Defendant's Attorney

THE DEFENDANT:

Pleaded true to violations of Standard Condition No. 1, 11, 15 (as to failing to report for drug testing as directed only) and 18 of the petition of supervision filed on September 6, 2022.

Pleaded not true to violation of Mandatory Condition No. 1 of the petition filed on September 6, 2022.

After hearing arguments from counsel, the Court finds by the preponderance of the evidence that the defendant did violate Mandatory Condition No. 1 (as to the assault only).

The Government waived Mandatory Condition No. 2 of the petition filed on September 6, 2022.

The defendant is adjudicated guilty of these violations:

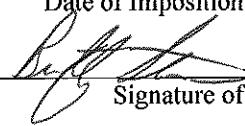
The defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has not violated condition(s) _____ and is discharged as to such violation(s) condition.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

December 14, 2022

Date of Imposition of Judgment



Signature of Judge

BRANTLEY STARR
UNITED STATES DISTRICT JUDGE

Name and Title of Judge

12/15/2022

Date

22-11217.52

DEFENDANT: ANDREA LAMONT MEDLOCK
CASE NUMBER: 3:21-CR-00368-X(1)

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

Twenty-four (24) months.

- The court makes the following recommendations to the Bureau of Prisons:
That the defendant be designated to a local facility in the Dallas/Fort Worth area; and that the defendant participate in all qualified programs available to him.
- The defendant is remanded to the custody of the United States Marshal.
- The defendant shall surrender to the United States Marshal for this district:
 - at _____
 - a.m. p.m. on _____
 - as notified by the United States Marshal.
- The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
 - before 2 p.m. on _____
 - as notified by the United States Marshal.
 - as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By
DEPUTY UNITED STATES MARSHAL

DEFENDANT: ANDREA LAMONT MEDLOCK
CASE NUMBER: 3:21-CR-00368-X(1)

SUPERVISED RELEASE

No Term of Supervised Release Imposed after release from imprisonment.