

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 19-13927

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

NATHANIEL FIELDS,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Florida
D.C. Docket No. 3:05-cr-00037-RV-EMT-1

ON REMAND FROM THE SUPREME COURT OF THE
UNITED STATES

Before WILSON, ROSENBAUM, and ED CARNES, Circuit Judges.

PER CURIAM:

In 2019, Nathaniel Fields, a federal prisoner, filed a motion for a sentence reduction under § 404(b) of the First Step Act of 2018. The district court granted Fields’s motion in part and imposed a lesser sentence. But the court declined Fields’s invitation to recalculate his Guidelines range without a career-offender designation under the intervening changes to the Sentencing Guidelines. Fields appealed, and we affirmed, relying on our decision in *United States v. Denson*, 963 F.3d 1080, 1089 (11th Cir. 2020).

The United States Supreme Court vacated our judgment in this case and remanded for further proceedings in light of its opinion in *Concepcion v. United States*, 142 S. Ct. 2389 (2022). *Fields v. United States*, 142 S. Ct. 2900 (2022). *Concepcion* abrogated our decision in *Denson* and held that “the First Step Act allows district courts to consider intervening changes of law or fact in exercising their discretion to reduce a sentence pursuant to the First Step Act.” 142 S. Ct. at 2404. And because district courts must “consider nonfrivolous arguments presented by the parties, the First Step Act requires district courts to consider intervening changes when parties raise them.” *Id.* at 2396. “By its terms, however, the First Step Act does not compel courts to exercise their discretion to reduce any sentence based on those arguments.” *Id.*

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Concepcion instructs that district courts ruling on First Step Act motions “bear the standard obligation to explain their decisions,” and accordingly must give a “brief statement of reasons” to “demonstrate that they considered the parties’ arguments.” *Id.* at 2404. “All that the First Step Act requires is that a district court make clear that it reasoned through the parties’ arguments.” *Id.* (alteration and internal quotation marks omitted).

Here, the district court’s order indicates that the court considered the parties’ arguments, including Fields’s argument that changes in the Guidelines weighed in favor of a sentence reduction. But the order does not state whether the court understood that it was permitted to consider intervening changes to the Sentencing Guidelines. *See id.* at 2396, 2404. Accordingly, we vacate the judgment of the district court and remand this case for further consideration in light of *Concepcion*.

VACATED and REMANDED.