

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 22-13990

Non-Argument Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GREGORY RICHARDSON,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Florida
D.C. Docket No. 0:12-cr-60294-RNS-1

Before WILLIAM PRYOR, Chief Judge, and NEWSOM and GRANT, Circuit Judges.

PER CURIAM:

Gregory Richardson, a federal prisoner, appeals the denial of his second motion for compassionate release, 18 U.S.C. § 3582(c)(1)(A). He argues that the district court failed to provide him procedural due process by denying his motion for compassionate release before he filed his reply to the government's response. We discern no due-process violation, so we affirm.

The docket reflects that Richardson's reply was due on October 11, 2022. Yet he did not sign and deliver his reply to prison officials for mailing until October 18, 2022, the same day that the district court denied his motion. The district court received his reply on November 2, 2022, construed the reply as a motion for reconsideration, and denied reconsideration.

The district court was not to blame for Richardson's failure to file a timely reply. And he cites no binding authority establishing that due process required the district court to wait beyond the filing deadline before denying his motion. Further, Richardson does not dispute and has abandoned any challenge that he could have made to the findings by the district court that his medical conditions did not establish extraordinary and compelling reasons, he failed to prove that he would not pose a danger to the public, and he failed to establish that the statutory sentencing factors, 18 U.S.C.

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§ 3553(a), weighed in favor of reducing his sentence. *Sapuppo v. Allstate Floridian Ins. Co.*, 739 F.3d 678, 680 (11th Cir. 2014).

We **AFFIRM** the denial of Richardson's motion for compassionate release.