

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-10291

Non-Argument Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ANTONIO ARNEZ EASTERLY,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Alabama
D.C. Docket No. 2:97-cr-00081-RAH-DRB-1

Before LUCK, LAGOA, and BRASHER, Circuit Judges.

PER CURIAM:

Antonio Easterly appeals the district court's denial of his second motion for compassionate release, pursuant to 18 U.S.C. § 3852(c)(1)(A). He contends that the district court committed an

error under *Tapia v. United States*, 564 U.S. 319 (2011) and placed improper emphasis on the need to protect the public from any further crimes. After careful review, we affirm.

I.

Antonio Easterly was sentenced to 456 months' imprisonment after a jury convicted him of four counts involving armed bank robberies. While in prison, Easterly fought with another inmate, an officer intervened, and Easterly lacerated the officer with a razor. Easterly was sentenced to 35 additional months' imprisonment. Over a decade later, Easterly was diagnosed with schizophrenia and began to receive mental health treatment. Easterly moved for compassionate release, asserting that his sentence was longer than necessary under the First Step Act and that several factors, including the need to receive effective medical care, supported compassionate release. The district court denied Easterly's motion for compassionate release, highlighting the need to protect the public.

Two years later, Easterly again moved for compassionate release and attached a psychological report that explained that Easterly had reached a level of relative stability and that his mental health symptoms might improve if he were released from prison. Easterly contended that there were two extraordinary and compelling reasons to justify compassionate release: (1) subsequent changes in the law producing a gross disparity between his original sentence and the sentence he would receive today, and (2) inadequate mental health treatment in the facility. Easterly also argued

that several 18 U.S.C. § 3553(a) factors supported compassionate release: his traumatic childhood experiences that influenced his history and characteristics, his young age at the time of the robberies, the long sentence he had already served, his need to receive effective mental health treatment, his low likelihood of recidivism, and the disparity between his sentence and the sentences of his codefendants. The government conceded that Easterly presented extraordinary and compelling reasons for compassionate release because of the deterioration in his mental health and a delay in receiving mental health treatment in prison. But, the government emphasized, the section 3553(a) factors did not support compassionate release because Easterly still presented a danger to the public. Easterly disagreed, arguing that he was no longer violent after receiving mental health treatment and that staying in prison longer would put the public more at risk due to expected mental health deterioration in prison.

The district court denied Easterly's second motion for compassionate release. The court found that he presented extraordinary and compelling reasons because if he had been convicted today, he would have received a shorter sentence. The court added that the government had conceded that it was likely unable to prevent further deterioration of Easterly's mental health conditions in prison. In evaluating the section 3553(a) factors, the court acknowledged that Easterly's stacked section 924(c) sentences created a disparity between his sentence and those of his codefendants but held that the need to protect the public and provide Easterly with appropriate mental health treatment outweighed any sentencing

disparity. The court emphasized that, although Easterly had shown a commitment to improving his mental health, he still exhibited symptoms like self-isolation and paranoia, which made the court doubt that Easterly could safely function outside of prison.

Easterly appealed.

II.

We review *de novo* whether a defendant is eligible for a sentence reduction under 18 U.S.C. § 3582(c)(1)(A). *United States v. Giron*, 15 F.4th 1343, 1345 (11th Cir. 2021). We review the district court’s denial of a prisoner’s § 3582(c)(1)(A) motion on other grounds for an abuse of discretion. *Id.* A district court abuses its discretion if it applies an incorrect legal standard, follows improper procedures in making the determination, makes findings of fact that are clearly erroneous, or commits a clear error of judgment. *United States v. Harris*, 989 F.3d 908, 911–12 (11th Cir. 2021). Abuse of discretion review “means that the district court had a range of choice” and that we “cannot reverse just because we might have come to a different conclusion.” *Id.* at 912 (citation modified).

III.

Easterly contends that the district court erred for two reasons: first, by invoking the availability of in-prison mental health treatment to support a prison sentence in violation of *Tapia*; and second, by giving unreasonable weight to rehabilitation and public safety. We consider each contention in turn.

A.

The district court did not commit a *Tapia*-style error in denying Easterly’s motion for a modification of his existing sentence. Section 3582 of Chapter 18 in the U.S. Code provides instructions for *imposing* a term of imprisonment in subsection (a) and instructions for *modifying* a term of imprisonment in subsection (c). Subsection (a), but not subsection (c), provides that a court “shall consider the factors set forth in section 3553(a) to the extent that they are applicable, *recognizing that imprisonment is not an appropriate means of promoting correction and rehabilitation.*” 18 U.S.C. § 3582(a) (emphasis added). The Supreme Court in *Tapia* relied on this language in subsection (a) when it held that district courts could not “impos[e] or lengthen[] a prison term to promote an offender’s rehabilitation.” 564 U.S. at 332; *see also id.* at 326 (“Our consideration of *Tapia*’s claim starts with the text of 18 U.S.C. § 3582(a)—and given the clarity of that provision’s language, could end there as well.”). Because subsection (c) lacks the relevant statutory language, we have held that the Court’s reasoning in *Tapia* does not apply to modification proceedings under that subsection. *See United States v. Maiello*, 805 F.3d 992, 997 (11th Cir. 2015) (“[S]ection 3582(c) has a different purpose—it authorizes a court, in limited circumstances, to modify a term of imprisonment *already imposed.*”). Because there is no bar to considering the rehabilitative benefits of an existing imprisonment sentence under 18 U.S.C. § 3582(c), the district court did not commit an error by considering

the availability of in-prison mental health treatment in denying Easterly's motion to modify his sentence.

B.

The district court also did not abuse its discretion when it concluded that the need to protect the public and provide Easterly with appropriate mental health treatment outweighed any sentencing disparity. When evaluating a compassionate release motion, a district court must consider the sentencing factors in 18 U.S.C. § 3553(a). *United States v. Tinker*, 14 F.4th 1234, 1237 (11th Cir. 2021). A district court has discretion to determine how much weight to give to any § 3553(a) factor. *Id.* at 1241. A district court abuses this discretion if it "(1) fails to afford consideration to relevant factors that were due significant weight, (2) gives significant weight to an improper or irrelevant factor, or (3) commits a clear error of judgment in considering the proper factors." *Id.* (quoting *United States v. Irey*, 612 F.3d 1160, 1189 (11th Cir. 2010) (en banc)).

Easterly contends that the district court abused its discretion by giving unreasonable weight to rehabilitation and public safety and argues that the following factors supported a lower sentence: the disparity between his sentence and what it would have been if sentenced today, the length of time served, the sentences available in the modern guidelines, and the need to avoid unwarranted sentencing disparities. The government responds that the district court had the discretion to place significant weight on public safety, the psychiatric report suggested that Easterly would likely stop taking his medication if released, and the district court reasonably

placed less weight on Easterly's sentencing disparity and stated commitment to improve his mental health. In reply, Easterly reiterated that his mental health would further deteriorate in custody, which could pose a greater threat to the public when he is eventually released.

The district court did not abuse its discretion when it found that the section 3553(a) factors weighed against granting Easterly's motion. The district court did not fail to afford consideration to relevant factors because the district court's order considered Easterly's personal history and characteristics as well as the need to avoid unwarranted sentencing disparities, protect the public, and provide Easterly with necessary medical care. The district court did not give significant weight to any improper or irrelevant factors. Even though the court highlighted Easterly's ability to receive mental health treatment in prison, it did so while evaluating Easterly's characteristics and the need to protect the public from his future crimes, which are proper factors to consider. *See* 18 U.S.C. § 3553(a)(1), (a)(2)(C). We cannot say the district court committed any clear error of judgment when determining that public safety outweighed the other section 3553(a) factors.

IV.

The district court's judgment is **AFFIRMED**.