

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 26-10456
Non-Argument Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

WILLIAM JEREMY MCGILL,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Alabama
D.C. Docket No. 3:25-cr-00095-ECM-KFP-1

Before JORDAN, ABUDU, and ANDERSON, Circuit Judges.

PER CURIAM:

William McGill appeals his sentence of 30 months' imprisonment for possession of a firearm by a convicted felon and possession of a firearm with an obliterated serial number. Although the sentence constituted a 16-month downward variance from the advisory guideline range of 46-57 months' imprisonment, Mr. Gill argues that the sentence was substantively unreasonable because it was greater than necessary to achieve the goals set out in 18 U.S.C. § 3553. He maintains that a sentence of time served would have been sufficient, in part because he possessed the firearm in question to commit suicide.

Following a review of the record and the parties' briefs, we affirm.

When reviewing for substantive reasonableness, we consider the totality of the circumstances under the abuse-of-discretion standard. *See Gall v. United States*, 552 U.S. 38, 51 (2007). A district court abuses its discretion when 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.” *United States v. Irey*, 612 F.3d 1160, 1189 (11th Cir. 2010) (en banc) (quoting *United States v. Campa*, 459 F.3d 1121, 1174 (11th Cir. 2006) (en banc) (Birch, J., dissenting)). The party challenging the sentence bears the burden of showing that the sentence is unreasonable in light of the record and the factors listed in § 3553(a). *See United States v. Goldman*, 953 F.3d 1213, 1222 (11th Cir. 2020).

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Under § 3553(a), the district court must impose a sentence that is sufficient, but not greater than necessary to reflect the seriousness of the offense, to promote respect for the law, to provide just punishment for the offense, to afford adequate deterrence, to protect the public from further crimes of the defendant, and to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment. In addition, the court must consider the nature and circumstances of the offense, the history and characteristics of the defendant, the sentences available, the sentencing range established, any policy statement, and the need to avoid unwarranted sentence disparities among similarly situated defendants. *See id.*

The weight given to the various § 3553(a) factors is left to the discretion of the district court, and we will not substitute our own judgment by reweighing the factors. *See United States v. Al Jaberi*, 97 F.4th 1310, 1329 (11th Cir. 2024). Nevertheless, “a district court’s unjustified reliance on any one Section 3553(a) factor may be a symptom of an unreasonable sentence.” *United States v. Pugh*, 515 F.3d 1179, 1191 (11th Cir. 2008). A district court must make an “individualized assessment based on the facts presented.” *Gall*, 552 U.S. at 50.

Mr. McGill has not shown an abuse of discretion. The district court took into account that he possessed the firearm to commit suicide, and not to do harm to others, that he had been “clean” for 13 years, and that he had a steady job. *See D.E. 59-2 at 16.* It therefore varied downward by 16 months from the bottom of the

advisory guidelines range. But in not imposing a sentence of time served, the court noted that Mr. McGill, by locking himself in the bathroom when the police arrived, had put others in danger. In addition, as the court explained, he had previously been convicted of a federal weapons offense, and he committed the instant offenses shortly after finishing his term of supervised release for the earlier offense. *See id.* 16-17.

The district court did not abuse its discretion by varying downward by 16 months from the bottom of the advisory guideline range and sentencing Mr. McGill to 30 months of imprisonment.

AFFIRMED.