

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

United States v. Jaramillo

No. 20-3240, United States Court of Appeals for the Second Circuit (June 2, 2021)

SUMMARY

The Second Circuit affirmed the denial of a pro se defendant's motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A) based on COVID-19 vulnerability. The court held that the district court did not abuse its discretion in finding no extraordinary and compelling reasons where the defendant initially failed to proffer specific medical conditions and later proffered conditions (sleep apnea, prediabetes, hypertension) that were not listed as high-risk by CDC guidelines at the time. The district court properly relied on CDC guidance in exercising its broad discretion, and the denial of reconsideration was also affirmed.

CASE DETAILS

COURT	United States Court of Appeals for the Second Circuit
WRITING FOR THE COURT	Dennis Jacobs; Robert D. Sack; Denny Chin
JURISDICTION	Federal
DECIDED	June 2, 2021
DOCKET	20-3240
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from denial of motion for compassionate release and motion for reconsideration.
STANDARD OF REVIEW	Abuse of discretion.
PRECEDENTIAL VALUE	unpublished
PARTIES	Pedro Jaramillo, AKA Enrique Jaramillo v. United States of America

TOPICS

criminal procedure sentencing standard of review appellate procedure

PRACTICE AREAS

criminal procedure sentencing appellate procedure

QUESTIONS PRESENTED

1. Whether the district court abused its discretion in denying the motion for compassionate release based on vulnerability to COVID-19.
2. Whether the district court abused its discretion in denying the motion for reconsideration.

HOLDINGS

1. The district court did not abuse its discretion in denying the motions because it was within its broad discretion to rely on CDC guidelines and to conclude that Jaramillo's medical conditions did not establish extraordinary and compelling reasons for a sentence reduction.

KEY QUOTATIONS

“A district court may, in exercising its broad discretion, rely on the CDC's guidance to determine whether certain health conditions constitute extraordinary and compelling reasons to warrant a sentence reduction.”
(at 4)

“We discern no abuse of discretion in the district court's decision to deny Jaramillo's motion for compassionate release or his subsequent motion for reconsideration.” (at 4)

FACTUAL BACKGROUND

Jaramillo, an incarcerated defendant, sought compassionate release due to vulnerability to COVID-19. He initially did not specify medical conditions; later he provided evidence of sleep apnea, breathing conditions, prediabetes, anxiety, and hypertension. The district court found that under CDC guidelines, these conditions did not constitute extraordinary and compelling reasons.

PROCEDURAL HISTORY

The district court denied Jaramillo's motion for compassionate release, reasoning that he had not set forth any medical conditions that put him at higher risk. He then filed a motion for reconsideration, identifying medical conditions, which the district court also denied, reasoning that the conditions did not establish extraordinary and compelling reasons. Jaramillo appeals.

DISPOSITION

affirmed

CASES CITED

- United States v. Brooker, 976 F.3d 228, 237 (2d Cir. 2020)
- United States v. Holloway, 956 F.3d 660, 664 (2d Cir. 2020)
- United States v. McCoy, 995 F.3d 32, 52 (2d Cir. 2021)
- United States v. Cavera, 550 F.3d 180, 193 (2d Cir. 2008)

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