NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 26-10132
Non-Argument Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

LEON BERNARD SPIKES, SR.,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Georgia
D.C. Docket No. 7:08-cr-00007-LAG-CHW-2

Before JILL PRYOR, BRANCH, and KIDD, Circuit Judges.

PER CURIAM:

Leon Bernard Spikes, Sr., appeals the district court's denial of his motion for compassionate release, filed pursuant to 18 U.S.C.

§ 3582(c)(1)(A). After careful review, we agree with Spikes that vacatur is warranted because the district court applied the incorrect legal standard in denying the instant motion. In addition to committing this reversible error, the district court failed to sufficiently explain its reasons for denying the requested relief, which deprives our Court of the ability to meaningfully review the contested issues on appeal. We therefore vacate the district court's order and remand for further proceedings.

I. BACKGROUND

In 2009, Spikes was convicted for armed bank robbery and possessing a firearm during a crime of violence. He ultimately was sentenced to 270 months of imprisonment. Spikes thereafter filed multiple motions seeking compassionate release.

Proceeding pro se, Spikes filed his first motion in September 2022, which the district court denied. In its order, the court explained that the policy statements included in § 1B1.13 of the United States Sentencing Guidelines had not been updated since the First Step Act of 2018 allowed prisoners to move for compassionate release. It found that Spikes's motion did not fall under any of the categories described in § 1B1.13, and there was no record that he had exhausted his administrative remedies with the Bureau of Prisons ("BOP"). Spikes refiled his motion two months later, which the district court denied for the same reasons provided in its previous order.

Several months later, Spikes filed his third motion, arguing that multiple "extraordinary and compelling reasons" warranted a

reduction of his sentence, including (1) the Sentencing Commission's then-proposed amendments regarding "unusually long sentences"; (2) his rehabilitation during his incarceration; (3) the BOP's miscalculation of his time in jail for credit purposes; (4) the obsolete nature of his career-offender status; and (5) his family circumstances. The district court again denied relief, reiterating its previous reasoning.

In February 2024, Spikes filed his fourth pro se compassionate release motion—the filing that gives rise to the instant appeal. In this motion, Spikes reiterated the same "extraordinary and compelling reasons" raised in his previous motion. He also provided a letter to the district court describing the rehabilitation efforts he had made during his incarceration and requesting that the remainder of his sentence be reduced to account for time-served credit he should have received. Spikes was also permitted to file a supplemental brief through counsel. In that supplement, counsel noted that the Sentencing Commission had amended § 1B1.13 since the denial of Spikes's last motion.

Following the government's response, the district court denied Spikes's motion in an order nearly identical to those that it issued previously. This appeal followed.

II. STANDARD OF REVIEW

We review de novo a defendant's eligibility for relief under § 3582(c)(1)(A). *United States v. Giron*, 15 F.4th 1343, 1345 (11th Cir. 2021). "After eligibility is established, we review a district court's denial of a prisoner's § 3582(c)(1)(A) motion for an abuse of discretion." *Id.*

III. DISCUSSION

A district court has no inherent authority to modify a defendant's sentence and may do so "only when authorized by a statute or rule." *United States v. Puentes*, 803 F.3d 597, 606 (11th Cir. 2015). A district court may reduce a term of imprisonment under § 3582(c)(1)(A) if "(1) extraordinary and compelling reasons warrant such a reduction, (2) such a reduction is consistent with applicable policy statements issued by the Sentencing Commission, and (3) [the 18 U.S.C.] § 3553(a) sentencing factors weigh in favor of a reduction." *Giron*, 15 F.4th at 1346 (citation modified). The district court may consider these factors in any order, and the absence of any of the three forecloses a sentence reduction. *See United States v. Tinker*, 14 F.4th 1234, 1237–38 (11th Cir. 2021).

As an initial matter, the parties contest the appropriate standard of review. We understand this disagreement, as it is unclear whether the district court found Spikes ineligible for compassionate release or determined that, despite his eligibility, the relevant factors weighed against reducing Spikes's sentence. In the instant order, the district court initially stated that Spikes's "motion does not fall within any of the categories enumerated at [U.S.S.G.]

§ 1B1.13." However, the court went on to state that it was denying Spikes's requested relief "[a]fter careful and complete review" of the instant motion, "as well as the previous motions he ha[d] submitted to the [c]ourt; the applicable factors set forth in 18 U.S.C. § 3553(a) and the applicable policy statements issued by the Sentencing Commission to the extent they are relevant to whether a reduction is warranted (and, if so, the amount of the reduction)." Based on these statements, we will assume for the purposes of our analysis that the district court found Spikes eligible for compassionate release but denied his motion as a matter of discretion. We will therefore apply abuse-of-discretion review to this appeal. *See Giron*, 15 F.4th at 1345.

We are mindful that "deference is the hallmark of abuse-of-discretion review." *United States v. Ware*, 69 F.4th 830, 845 (11th Cir. 2023) (citation modified). However, this review "is not simply a rubber stamp." *United States v. Cook*, 998 F.3d 1180, 1183 (11th Cir. 2021) (citation modified). We have recognized that a district court abuses its discretion if it applies an incorrect legal standard, follows improper procedures in making its determination, makes clearly erroneous factual findings, or commits a clear error of judgment. *See Giron*, 15 F.4th at 1345; *United States v. Harris*, 989 F.3d 908, 911–12 (11th Cir. 2021). We find that Spikes's case presents such circumstances.

First, the district court applied the incorrect legal standard in conducting its analysis—a prior version of U.S.S.G. § 1B1.13. In its order, the court stated that "the policy statements [in § 1B1.13]

were not amended after" the First Step Act "allow[ed] prisoners to file direct motions for compassionate release." However, as Spikes's counsel noted, the Sentencing Commission amended § 1B1.13 to reflect the First Step Act's change to § 3582(c)(1)(A) in 2023. *See* U.S. Sentencing Commission, Adopted Amendments (Effective November 1, 2023), Amendment 814. Rather than recognizing this substantive change, the district court denied Spikes's latest motion with outdated language duplicative of that used in its orders denying the motions filed *prior* to Amendment 814 taking effect.

Further, the district court was required to "explain its sentencing decisions adequately enough to allow for meaningful appellate review." *Giron*, 15 F.4th at 1345 (citation modified). That did not occur in this case. Despite receiving full briefing from the parties, nothing in the district court's order suggests that it actually assessed Spikes's claims or the government's counterarguments. Rather, it appears that the court conducted a cursory application of the incorrect version of § 1B1.13. From the order, we cannot determine which factors the district court relied upon in denying relief. *See Cook*, 998 F.3d at 1185 (stating that, "[a]t minimum, [this Court] must be able to understand from the record how the district court arrived at its conclusion, including what factors it relied upon").

These errors require vacatur of the district court's order. *See id.* at 1183, 1185–86. On remand, the district court should apply the correct version of § 1B1.13 and provide express reasoning for denying Spikes's motion for compassionate release.

IV. CONCLUSION

We **VACATE** the district court's order denying Spikes's compassionate release motion and **REMAND** this case for further proceedings consistent with this opinion.