

United States Court of Appeals
For the Eighth Circuit

No. 15-2154

United States of America,

Plaintiff - Appellee,

v.

Dino Lomeli,

Defendant - Appellant.

Appeal from United States District Court
for the Northern District of Iowa - Cedar Rapids

Submitted: April 15, 2016

Filed: July 13, 2016

[Unpublished]

Before COLLOTON and SHEPHERD, Circuit Judges, and MOODY,¹ District
Judge.

PER CURIAM.

¹The Honorable James M. Moody, Jr, United States District Court for the
Eastern District of Arkansas, sitting by designation.

Dino Lomeli appeals after the district court² denied him a sentence reduction under 18 U.S.C. § 3582(c)(2). In declining to reduce Mr. Lomeli's sentence, the district court found that a reduction was not warranted in light of his criminal history, which included murder, his leadership in an international marijuana smuggling organization, his post-sentencing conduct and the risk to public safety posed by a reduction in his term of imprisonment. We conclude that there is no basis for reversal, as the district court's finding that a reduction was not warranted was not an abuse of discretion. See Dillon v. United States, 560 U.S. 817, 827 (2010) (§ 3582(c) authorizes district court to reduce sentence by applying amended Guidelines range as if it were in effect at time of original sentencing, and leaving all other Guidelines determinations intact as previously determined); United States v. Long, 757 F.3d 762, 763 (8th Cir.2014) (de novo review of whether § 3582(c)(2) authorizes modification, and abuse-of-discretion review of decision whether to grant authorized § 3582(c)(2) modification); United States v. Curry, 584 F.3d 1102, 1103-05 (8th Cir.2009) (district court did not abuse its discretion in declining to reduce defendant's sentence under § 3582(c)(2) due to defendant's criminal history). The judgment of the district court is affirmed. We deny Lomeli's *pro se* motions for leave to object.

²The Honorable Linda R. Reade, Chief Judge, United States District Court for the Northern District of Iowa.