

United States Court of Appeals
For the Eighth Circuit

No. 22-1829

United States of America

Plaintiff - Appellee

v.

Abdiweli Mohamed Jama, also known as Abdiwali Mohamed Jama

Defendant - Appellant

Appeal from United States District Court
for the District of Minnesota

Submitted: February 13, 2023

Filed: April 26, 2023

[Unpublished]

Before SMITH, Chief Judge, STRAS and KOBES, Circuit Judges.

PER CURIAM.

Abdiweli Jama pleaded guilty to two counts related to a robbery, 18 U.S.C. §§ 1951, 924(c)(1)(A)(ii)–(iii), and the district court¹ sentenced him to 144 months

¹The Honorable Ann D. Montgomery, United States District Judge for the District of Minnesota.

in prison. Jama argues that his sentence is substantively unreasonable considering the § 3553(a) factors. We affirm Jama’s sentence.

We review the reasonableness of a sentence for an abuse of discretion. United States v. Feemster, 572 F.3d 455, 461 (8th Cir. 2009) (en banc). Jama received a below-Guidelines sentence, making it “nearly inconceivable that the court abused its discretion in not varying downward still further.” United States v. Lazarski, 560 F.3d 731, 733 (8th Cir. 2009).

Jama argues that the district court failed to consider a relevant factor—that the COVID-19 pandemic made it difficult for him to get treatment for his opioid addiction and depression. See Feemster, 572 F.3d at 461 (explaining that the district court abuses its discretion when it “fails to consider a relevant factor that should have received significant weight” (citation omitted)). But the district court did consider this factor. The district court discussed how drugs “did a lot to take [Jama] off the rails of life and turn [him] into a person that [he] hadn’t been up to that point in time.” Sentencing Tr. 16. And at sentencing, Jama’s attorney discussed how the pandemic prevented Jama from checking into resource centers. United States v. Keating, 579 F.3d 891, 894 (8th Cir. 2009) (“Because the sentencing record demonstrates that the district court heard [the defendant’s] arguments . . . , the court properly considered those facts.”).

Jama argues that his law-abiding record prior to his drug addiction should have been given greater weight. But the district court’s “choice to assign relatively greater weight to the nature and circumstances of the offense than to the mitigating personal characteristics of the defendant is well within the wide latitude given to individual district court judges in weighing relevant factors.” United States v. Wilcox, 666 F.3d 1154, 1157 (8th Cir. 2012) (cleaned up). The district court has not abused its discretion, and we affirm.