

United States Court of Appeals  
For the Eighth Circuit

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No. 24-1969

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United States of America

*Plaintiff - Appellee*

v.

Humberto Rivera-Moreno, also known as Beto, also known as Erik Moctezuma,  
also known as Erik Moctezuma-Espindola, also known as Eduardo  
Rivera-Moreno, also known as Jose Chavez

*Defendant - Appellant*

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Appeal from United States District Court  
for the District of Nebraska - Omaha

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Submitted: January 14, 2025  
Filed: January 22, 2025  
[Unpublished]

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Before SMITH, GRUENDER, and SHEPHERD, Circuit Judges.

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PER CURIAM.

Humberto Rivera-Moreno appeals after the district court<sup>1</sup> denied his motion seeking a sentence reduction under 18 U.S.C. § 3582(c)(2). After carefully reviewing the record, we conclude that the district court did not give any weight--much less significant weight--to an improper or irrelevant factor, or commit a clear error of judgment in weighing appropriate factors. See United States v. Tollefson, 853 F.3d 481, 485 (8th Cir. 2017) (reviewing district court's decision whether to grant eligible defendant's § 3582(c)(2) motion for an abuse of discretion); United States v. Denton, 821 F.3d 1012, 1013 (8th Cir. 2016) (explaining abuse-of-discretion standard); United States v. Granados, 830 F.3d 840, 842-43 (8th Cir. 2016) (per curiam) (district court has substantial latitude to weigh 18 U.S.C. § 3553(a) factors and does not abuse its discretion by denying § 3582(c)(2) motion after weighing aggravating factors more heavily than post-sentencing rehabilitation); United States v. Boyd, 819 F.3d 1054, 1056 (8th Cir. 2016) (per curiam) (post-sentencing prison violations were "clearly relevant" to district court's exercise of its discretion).

Accordingly, we affirm.

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<sup>1</sup>The Honorable Brian C. Buescher, United States District Judge for the District of Nebraska.