

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

NOV 12 2021

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

No. 20-30255

Plaintiff-Appellee,

D.C. No. 3:15-cr-00104-SLG-1

v.

MEMORANDUM*

ANTONIO D. WASHINGTON,

Defendant-Appellant.

Appeal from the United States District Court
for the District of Alaska

Sharon L. Gleason, District Judge, Presiding

Submitted November 8, 2021**

Before: CANBY, TASHIMA, and MILLER, Circuit Judges.

Antonio D. Washington appeals pro se from the district court's order denying his motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i).

We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Washington contends that the district court abused its discretion by ignoring

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

the severity of his medical issues and the conditions at his prison, as well as by concluding that the 18 U.S.C. § 3553(a) sentencing factors weighed against relief. The district court concluded that, despite Washington's commendable efforts at rehabilitation, relief was unwarranted in light of the § 3553(a) factors, including Washington's extensive and violent criminal history and the fact that Washington had served less than half of his sentence. This was not an abuse of discretion. *See United States v. Keller*, 2 F.4th 1278, 1281 (9th Cir. 2021) (stating standard of review); *United States v. Robertson*, 895 F.3d 1206, 1213 (9th Cir. 2018) (district court abuses its discretion only if its decision is illogical, implausible, or not supported by the record). Accordingly, we do not reach Washington's argument that the district court erred in its analysis of whether he had shown extraordinary and compelling reasons for relief. *See Keller*, 2 F.4th at 1284 (a district court may deny compassionate release based on the § 3553(a) factors alone).

To the extent Washington seeks to introduce new evidence regarding his medical conditions, we do not consider that evidence because it was not presented to the district court. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

AFFIRMED.