

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAY 27 2022

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 21-30182

Plaintiff-Appellee,

D.C. No. 3:16-cr-05530-BHS-8

v.

QUINN T. HINKLE,

MEMORANDUM*

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Washington
Benjamin H. Settle, District Judge, Presiding

Submitted May 17, 2022**

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

Quinn T. Hinkle appeals pro se from the district court's order denying his second motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i). We have jurisdiction under 28 U.S.C. § 1291. Reviewing for abuse of discretion, *see United States v. Keller*, 2 F.4th 1278, 1281 (9th Cir. 2021), we affirm.

* 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).

Hinkle contends that the district court abused its discretion by denying compassionate release because it erroneously assessed the evidence regarding the danger his release would pose to the public, and improperly weighed his medical needs, the ongoing pandemic, and his rehabilitative efforts when evaluating the 18 U.S.C. § 3553(a) factors. We disagree. Notwithstanding the risk assessments cited by Hinkle and the amount of time he had served when he filed the instant motion, the court’s conclusions regarding his dangerousness—including that Hinkle’s lengthy criminal history and prison disciplinary record indicated that he remained a danger to the public—were supported by the record. *See United States v. Robertson*, 895 F.3d 1206, 1213 (9th Cir. 2018). Moreover, the court did not abuse its discretion in deciding that, even though Hinkle had “made strides in his personal development while in custody,” the § 3553(a) factors did not support release. *See Keller*, 2 F.4th at 1284; *see also United States v. Gutierrez-Sanchez*, 587 F.3d 904, 908 (9th Cir. 2009) (“The weight to be given the various factors in a particular case is for the discretion of the district court.”).

Hinkle also argues that the district court insufficiently explained its reasons for denying his motion. However, the record reflects that the district court fully considered Hinkle’s circumstances and arguments, and thoroughly explained its decision to deny relief. *See Chavez-Meza v. United States*, 138 S. Ct. 1959, 1965-67 (2018). Finally, the record does not support Hinkle’s argument that the

government provided false and deceptive evidence to the district court in opposing his motion.

Hinkle's motion for appointment of counsel and for leave to file a supplemental brief is denied.

AFFIRMED.