

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 28 2022

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 21-10279

Plaintiff-Appellee,

D.C. No.

v.

3:14-cr-00548-WHO-1

MUTEE FAREED ALGHAFFAAR,

MEMORANDUM*

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of California
William Horsley Orrick, District Judge, Presiding

Submitted July 26, 2022**
San Francisco, California

Before: M. MURPHY,*** GRABER, and McKEOWN, Circuit Judges.

Mutee Al-Ghaffaar appeals the district court's denial of his motion under 18 U.S.C. § 3582(c)(1)(A)(i) for compassionate release. Because the parties are

* 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 Honorable Michael R. Murphy, United States Circuit Judge for the U.S. Court of Appeals for the Tenth Circuit, sitting by designation.

familiar with the facts, we do not review them here. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

We review a motion for compassionate release under § 3582(c)(1) for abuse of discretion. *United States v. Aruda*, 993 F.3d 797, 799 (9th Cir. 2021). “A district court abuses its discretion if it fails to apply the correct legal standard or if its application of the correct standard is ‘illogical, implausible, or without support in inferences that may be drawn from facts in the record.’” *United States v. Estrada*, 904 F.3d 854, 862 (9th Cir. 2018) (quoting *United States v. Hinkson*, 585 F.3d 1247, 1251 (9th Cir. 2009) (en banc)). The district court did not abuse its discretion in determining that Al-Ghaffaar did not demonstrate “extraordinary and compelling reasons” sufficient to justify compassionate release.

AFFIRMED.