

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 28 2024

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOSHUA SADAT WASHINGTON,

Defendant - Appellant.

No. 23-372

D.C. No. 2:16-cr-00279-JAD-PAL-1

MEMORANDUM*

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

Jennifer A. Dorsey, District Judge, Presiding

Submitted February 21, 2024**

Before: FERNANDEZ, NGUYEN, and OWENS, Circuit Judges.

Joshua Sadat Washington appeals pro se from the district court's order denying his motion for reconsideration of an order denying compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i). We have jurisdiction under 28 U.S.C. § 1291, and 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).

The district court denied Washington's motion because he had not addressed any of the compassionate release factors or identified any grounds for reconsideration of the court's prior order. On appeal, Washington contends that he is entitled to compassionate release in light of the extreme stress that he is experiencing. This contention does not demonstrate that the district court abused its discretion in denying Washington's motion. *See United States v. Lopez-Cruz*, 730 F.3d 803, 811 (9th Cir. 2013) (stating standard of review). Washington's reconsideration motion and arguments on appeal fail to identify any basis for revisiting the district court's prior order denying compassionate release. *See School Dist. No. 1J, Multnomah Cnty, Or. v. ACandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993) (discussing when reconsideration is appropriate).

We do not address in these proceedings Washington's arguments concerning appointment of counsel for his 28 U.S.C § 2255 motion. In Appeal No. 23-3297 this court will determine whether a certificate of appealability should issue as to the district court's order denying Washington's § 2255 motion.

AFFIRMED.