

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 29 2024

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CESAR MUNOZ GONZALEZ, AKA
Blanco, AKA "B",

Defendant - Appellant.

No. 23-1138

D.C. No. 2:10-cr-00567-RGK-2

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
R. Gary Klausner, District Judge, Presiding

Submitted February 21, 2024**

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

Cesar Munoz Gonzalez 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. Reviewing for abuse of discretion, *see*

* 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).

United States v. Aruda, 993 F.3d 797, 799 (9th Cir. 2021), we affirm.

Gonzalez contends that the district court erred by failing to recognize its authority to reduce his sentence even if it did not grant him immediate release. The record demonstrates that the district court adequately responded to the arguments Gonzalez presented and does not suggest the court misunderstood the scope of its discretion under § 3582(c)(1)(A)(i). *See Walton v. Arizona*, 497 U.S. 639, 653 (1990) (“Trial judges are presumed to know the law and to apply it in making their decisions.”), *overruled on other grounds by Ring v. Arizona*, 536 U.S. 584, 609 (2002). Moreover, the district court did not abuse its discretion by concluding that Gonzalez had not demonstrated extraordinary and compelling reasons for relief. *See United States v. Robertson*, 895 F.3d 1206, 1213 (9th Cir. 2018) (a district court abuses its discretion only if its decision is illogical, implausible, or without support in the record).

AFFIRMED.