

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 30 2025

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

LARISA SAKHANSKIY,

Defendant - Appellant.

No. 24-7812

D.C. No.

2:13-cr-00160-TLN-AC-2

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Troy L. Nunley, District Judge, Presiding

Submitted June 18, 2025**

Before: CANBY, S.R. THOMAS, and SUNG, Circuit Judges.

Larisa Sakhanskiy appeals pro se from the district court's order denying her third 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. Keller, 2 F.4th 1278, 1281 (9th Cir. 2021), we affirm.¹

Sakhanskiy contends the district court should have granted compassionate release because of her serious medical conditions, the alleged lack of adequate medical care at her new facility, the deterioration in her health, and her rehabilitation and minimum risk for recidivism or violence. However, the record supports the district court's determination that Sakhanskiy's medical conditions do not "substantially diminish [Sakhanskiy's] ability to provide self-care and the BOP is capable of adequately treating those conditions." The court therefore did not abuse its discretion in concluding that Sakhanskiy lacked extraordinary and compelling reasons. *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). Moreover, Sakhanskiy has not shown any abuse of discretion in the court's conclusion that, notwithstanding her rehabilitative efforts and low recidivism score, the 18 U.S.C. § 3553(a) factors did not support relief. *See Keller*, 2 F.4th at 1284.

AFFIRMED.

¹ The government asserts that this appeal is untimely. Sakhanskiy responds that she mailed the notice of appeal immediately upon receiving the district court's order. We do not resolve this dispute and instead proceed to the merits. *See United States v. Sadler*, 480 F.3d 932, 940 (9th Cir. 2007) (timeliness in a criminal case is not jurisdictional).