

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 24 2025

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DANIEL JAMES DRAPER,

Defendant - Appellant.

No. 24-5588

D.C. No.

3:12-cr-00004-MMD-CSD-1

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Miranda M. Du, District Judge, Presiding

Submitted September 17, 2025**

Before: SILVERMAN, OWENS, and BRESS, Circuit Judges.

Daniel James Draper 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 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).

Draper contends that the district court abused its discretion in denying his motion because a change in law under *Lora v. United States*, 599 U.S. 453 (2023), his rehabilitative efforts in prison, and his mother's illness support compassionate release. The district court did not abuse its discretion in concluding that none of these circumstances is extraordinary and compelling. *See* 18 U.S.C.

§ 3582(c)(1)(A)(i). As the district court explained, *Lora* does not show that the sentencing court would have imposed a lower sentence. As to Draper's remaining arguments, the district court considered them and reasonably concluded they were insufficient to warrant compassionate release "given the reasons for the imposition of the sentence in the first place." On this record, we affirm.

Any pending motions are denied.

AFFIRMED.