

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 23 2026

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RAMONT JOSEPH SMITH,

Defendant - Appellant.

No. 25-2177

D.C. No.

3:22-cr-02607-TWR-3

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
Todd W. Robinson, District Judge, Presiding

Submitted February 18, 2026**

Before: CALLAHAN, FRIEDLAND, and BRESS, Circuit Judges.

Ramont Joseph Smith appeals from the district court's order modifying his restitution payment schedule. We have jurisdiction under 28 U.S.C. § 1291.

Reviewing for abuse of discretion, *see United States v. Inouye*, 821 F.3d 1152, 1155 (9th Cir. 2016), 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)*.

Smith contends the district court abused its discretion by modifying his restitution order to require payment of \$750 per month. He argues that the court selected this amount without considering his ability to pay and to punish his past non-compliance with restitution payments.

The district court did not abuse its discretion. It properly selected the payment amount based on the financial information Smith provided. *See* 18 U.S.C. § 3664(f)(2). The court acknowledged that the payment schedule required Smith to pay over 10% of his monthly gross income, which the court understood “may hurt from a financial sense.” It nevertheless believed it was an amount Smith could meet. Because this conclusion is not illogical or implausible in light of the record, the court did not abuse its discretion. *See Inouye*, 821 F.3d at 1156.

AFFIRMED.