

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAY 29 2026

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

KEVIN MICHAEL KEALOHA,

Defendant - Appellant.

No. 25-7474

D.C. No.

2:21-cr-00259-APG-VCF-1

MEMORANDUM*

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

Andrew P. Gordon, District Judge, Presiding

Submitted May 26, 2026**

Before: S.R. THOMAS, MILLER, and H.A. THOMAS, Circuit Judges.

Kevin Michael Kealoha appeals pro se from the district court's order denying his motion for a sentence reduction under 18 U.S.C. § 3582(c). We have jurisdiction under 28 U.S.C. § 1291, and we vacate and remand.

Kealoha moved for compassionate release under § 3582(c)(1)(A). The

* 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).

district court, however, denied relief in a form order pertaining to a motion for sentence reduction under § 3582(c)(2). As the government concedes, remand is required so that the district court can rule on Kealoha's request for compassionate release. We therefore vacate the court's order and remand for the court to decide Kealoha's request for compassionate release under § 3582(c)(1)(A).

We express no view as to the appropriate disposition of Kealoha's motion on remand.

VACATED and REMANDED.