

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 26 2026

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

PHILLIP ANDREW WELLER II,

Defendant - Appellant.

No. 25-2700

D.C. No.

3:12-cr-05154-W-1

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
Thomas J. Whelan, District Judge, Presiding

Submitted June 22, 2026**

Before: CANBY, BENNETT, and BADE, Circuit Judges.

Phillip Andrew Weller II appeals from the district court's order denying his motion for early termination of supervised release under 18 U.S.C. § 3583(e)(1).

We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Weller contends the district court erred by failing to explain its reasons for

* 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).

denying his motion. Although the district court has a duty to explain its decision to deny early termination, adequate explanation may be inferred from the record as a whole. *See United States v. Emmett*, 749 F.3d 817, 820-21 (9th Cir. 2014). Here, the court was well acquainted with Weller’s case. It stated that it had considered the parties’ arguments, which included the government’s opposition describing the “aggravated” nature of the underlying offense and Weller’s issues on supervision, and arguing that the public interest favored continuing supervision for the remainder of the five-year term. Because this record permits meaningful appellate review, we affirm. *See id.* at 821.

AFFIRMED.