NOT FOR PUBLICATION

FILED

JUN 29 2026

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

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA, Plaintiff - Appellee, v. SCOTT JUSTIN SMITH, Defendant - Appellant.	No. 26-105 D.C. No. 3:24-cr-05279-TMC-1 MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
Tiffany M. Cartwright, District Judge, Presiding

Submitted June 22, 2026**

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

Scott Justin Smith 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, and we affirm.

Smith contends that the district court erred by failing to treat his family

---

* 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).

circumstances as extraordinary and compelling because the mother of his younger child has cancer, and the mother of his older child has relinquished her parental rights, leading to the child's likely adoption. Contrary to Smith's arguments, the district court was bound by U.S.S.G. § 1B1.13. *See United States v. Bryant*, 144 F.4th 1119, 1124 & n.1 (9th Cir. 2025), *cert. denied*, No. 25-6636, 2026 WL 1127186 (U.S. Apr. 27, 2026). Moreover, the court did not abuse its discretion in concluding that Smith's family circumstances were not extraordinary and compelling under § 1B1.13(b). *See United States v. Keller*, 2 F.4th 1278, 1281 (9th Cir. 2021) (stating standard of review); *United States v. Robertson*, 895 F.3d 1206, 1213 (9th Cir. 2018) (district court abuses its discretion only if its decision is illogical, implausible, or not supported by the record). Given this conclusion, the court was not required to address Smith's rehabilitation or the 18 U.S.C. § 3553(a) factors. *See Keller*, 2 F.4th at 1284 ("[A] district court that properly *denies* compassionate release need not evaluate each step.").

AFFIRMED.