

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

NOV 22 2022

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 22-10080

Plaintiff-Appellee,

D.C. No. 2:12-cr-00241-WBS-DB-1

v.

MEMORANDUM*

RAYMELL LAMAR EASON,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of California
William B. Shubb, District Judge, Presiding

Submitted November 15, 2022**

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

Raymell Lamar Eason appeals pro se from the district court's orders denying his motions for reconsideration of the district court's order denying compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i).¹ We have jurisdiction under 28 U.S.C.

* 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).

¹ To the extent that Eason appeals from the district court's unrelated January 11, 2022, minute order, we dismiss for lack of jurisdiction because the minute order is

§ 1291. Reviewing for abuse of discretion, *see United States v. Keller*, 2 F.4th 1278, 1281 (9th Cir. 2021), we affirm.

Eason contends that he is entitled to compassionate release and the district court erred by failing to explain its decision to deny relief. The record reflects, however, that the district court considered Eason’s arguments for release and adequately explained its decision. *See Chavez-Meza v. United States*, 138 S. Ct. 1959, 1965 (2018). Moreover, the district court did not abuse its discretion in determining that Eason’s circumstances were not extraordinary and compelling in light of his vaccination status and the medical care he was receiving in prison. *See United States v. Robertson*, 895 F.3d 1206, 1213 (9th Cir. 2018) (stating that the district court abuses its discretion only if its decision is illogical, implausible, or not supported by the record). Finally, contrary to Eason’s assertion, the court was not required to separately analyze the 18 U.S.C. § 3553(a) factors. *See Keller*, 2 F.4th at 1284.

We do not consider matters not raised below and not specifically and distinctly raised and argued in the opening brief. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

not appealable as a final judgment nor an order that comes within the collateral order doctrine. *See* 28 U.S.C. § 1291; *see also Childs v. San Diego Fam. Hous., LLC*, 22 F.4th 1092, 1095-96 (9th Cir. 2022) (discussing final decisions and requirements for an order to satisfy the collateral order doctrine).

Eason's motions for remand and for the "District Court to Forward Entire Record on Appeal" are denied.

AFFIRMED in part; DISMISSED in part.