

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 16 2022

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 22-30078

Plaintiff-Appellee,

D.C. No. 2:16-cr-00225-RSM-1

v.

MEMORANDUM\*

RANDY LEE HALL,

Defendant-Appellant.

Appeal from the United States District Court  
for the Western District of Washington  
Ricardo S. Martinez, District Judge, Presiding

Submitted December 8, 2022\*\*

Before: WALLACE, TALLMAN, and BYBEE, Circuit Judges.

Randy Lee Hall appeals pro se from the district court's order granting in part the government's motion to require payment from his inmate trust account. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Hall contends that the district court's adjustment of his restitution payment

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\* 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).

schedule was not authorized under 18 U.S.C. § 3664(k) because the court was improperly notified of the change in his economic circumstances. Specifically, he alleges that an employee of the Bureau of Prisons, rather than “the United States,” gave notice to the court. This claim fails because it was the United States Attorney’s Office (“USAO”) that notified the district court of the change in Hall’s circumstances by filing a motion to require payment, and Hall does not allege, nor could he, that the USAO was not a proper representative of the United States. *See* 28 U.S.C. § 547 (authorizing United States attorneys to act on behalf of the United States). For the same reason, we reject Hall’s claim that the notice violated BOP policy.

Because the district court was authorized to adjust Hall’s restitution payment schedule under § 3664(k), we do not reach Hall’s argument that the court was not authorized to order payment under § 3664(n).

Hall’s motions for an evidentiary hearing, forensic analysis, and reconsideration of the court’s May 18, 2022, order denying appointment of counsel are denied.

**AFFIRMED.**