

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 19 2022

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 21-30274

Plaintiff-Appellee,

D.C. No. 1:20-cr-00124-SPW-1

v.

MITCHELL JAMES CHANDLER,

MEMORANDUM*

Defendant-Appellant.

Appeal from the United States District Court
for the District of Montana
Susan P. Watters, District Judge, Presiding

Submitted April 11, 2022**

Before: McKEOWN, CHRISTEN, and BRESS, Circuit Judges.

Mitchell James Chandler appeals pro se from the district court's order denying his request for an order directing the Bureau of Prisons to award him six-and-a-half months of custody credit. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

* 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).

Chandler contends that he is entitled to the custody credit because of the district court's comments at sentencing regarding his anticipated release date. However, the district court correctly concluded that it lacked authority to award custody credit at sentencing, or to direct the Bureau of Prisons to arrive at a specific credit calculation. *See United States v. Wilson*, 503 U.S. 329, 333-34 (1992). Moreover, as the district court explained, the written judgment reflects its intended sentence.

AFFIRMED.