

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 22-3050**September Term, 2022****1:16-cr-00115-EGS-1****Filed On:** October 31, 2022

United States of America,

Appellee

v.

Nehemias Samayoa, also known as
Nehemias Samalloa,

Appellant

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

BEFORE: Henderson, Wilkins, and Pan, Circuit Judges

J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on the memoranda of fact and law filed by the parties. The court has determined that the issues presented occasion no need for an opinion. See D.C. Cir. Rule 36. Upon consideration of the foregoing, and the motion to appoint counsel, it is

ORDERED that the motion to appoint counsel be denied. It is

FURTHER ORDERED AND ADJUDGED that the district court's July 15, 2022 order denying appellant's renewed motion for compassionate release be affirmed. Appellant has not shown that the district court abused its discretion in concluding that he failed to establish extraordinary and compelling reasons warranting a reduction in his sentence. See United States v. Long, 997 F.3d 342, 352 (D.C. Cir. 2021). To the extent that appellant seeks review of the district court's December 6, 2021 order denying his original motion for compassionate release, that order is not properly before the court. The notice of appeal in this case is not timely as to that order, see Fed. R. App. P. 4(b)(1)(A), and appellant voluntarily dismissed his prior appeal of that order, United States v. Samayoa, No. 22-3002.

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Daniel J. Reidy

Deputy Clerk