

JAN 11 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

YONG SANG KIM,

Defendant - Appellant.

No. 09-10088

D.C. No. 1:07-CR-00541-HG

MEMORANDUM*

Appeal from the United States District Court
for the District of Hawaii
Helen Gillmor, District Judge, Presiding

Submitted December 15, 2009**

Before: GOODWIN, WALLACE, and FISHER, Circuit Judges.

Yong Sang Kim appeals from the 36-month sentence imposed following his guilty-plea conviction for conspiracy to operate an illegal gambling business,

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

operating an illegal gambling business, and conspiracy to commit money laundering, in violation of 18 U.S.C. §§ 371, 1955 and 1956(a)(1)(A)(I). We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Kim contends that the district court procedurally erred by failing to give an adequate statement of reasons for the sentence imposed and by failing to consider all relevant factors listed in 18 U.S.C. § 3553(a). Kim also contends that his sentence is substantively unreasonable because it is greater than necessary to comport with the goals of sentencing. The record demonstrates that the district court thoroughly explained its reasons for the sentence in light of the 18 U.S.C. § 3553(a) sentencing factors, and that given the totality of the circumstances, the sentence imposed is substantively reasonable. *See United States v. Carty*, 520 F.3d 984, 991-93 (9th Cir. 2008) (en banc); *see also United States v. Mohamed*, 459 F.3d 979, 988-89 (9th Cir. 2006).

AFFIRMED.