

JAN 26 2010

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DANIEL WILLIAMS,

Defendant - Appellant.

No. 09-10085

D.C. No. 2:08-CR-50086-JAT

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
James A. Teilborg, District Judge, Presiding

Submitted January 11, 2010**

Before: BEEZER, TROTT, and BYBEE, Circuit Judges.

Daniel Williams appeals from the district court's order revoking his supervised release. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

* 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).

Williams contends that the district court abused its discretion when it determined that he violated the conditions of his supervised release. The district court correctly concluded that Williams' supervised release violations were established by a preponderance of the evidence. *See* 18 U.S.C. § 3583(e)(3); *see also United States v. Verduzco*, 330 F.3d 1182, 1184 (9th Cir. 2003).

Williams also contends that the district court erred by denying his request to substitute counsel. The district court properly exercised its discretion when it denied the request. *See United States v. Mendez-Sanchez*, 563 F.3d 935, 942-43 (9th Cir. 2009).

AFFIRMED.