

MAR 29 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NOT FOR PUBLICATION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.

TIMOTHY BRUCE RUDDLE,

Defendant - Appellant.

No. 09-30189

D.C. No. 4:08-cr-00141-SEH

MEMORANDUM*

Appeal from the United States District Court
for the District of Montana
Sam E. Haddon, District Judge, Presiding

Submitted March 16, 2010**

Before: SCHROEDER, PREGERSON, and RAWLINSON, Circuit Judges.

Timothy Bruce Ruddle appeals from his 210-month sentence imposed following a guilty-plea conviction for receipt of child pornography, in violation of

* 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).

18 U.S.C. § 2252A(a)(2). We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Ruddle contends that the district court procedurally erred by failing adequately to explain the sentence imposed and that the sentence, at the high-end of the Sentencing Guidelines, is substantively unreasonable. The record reflects that the district court adequately explained the sentence. *See United States v. Perez-Perez*, 512 F.3d 514, 516-17 (9th Cir. 2008). Further, in light of the totality of the circumstances and the factors set forth in 18 U.S.C. § 3553(a), the sentence is not unreasonable. *See Gall v. United States*, 552 U.S. 38, 51 (2007).

AFFIRMED.