

APR 19 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NOT FOR PUBLICATION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.

GREGORY A. CONNELLY,

Defendant - Appellant.

No. 09-30196

D.C. No. 2:06-cr-02013-RHW

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of Washington
Robert H. Whaley, District Judge, Presiding

Submitted April 5, 2010**

Before: RYMER, McKEOWN, and PAEZ, Circuit Judges.

Gregory A. Connelly appeals from the 24-month sentence imposed following the revocation of supervised release. 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 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).

Connelly contends that the district court procedurally erred by failing to adequately explain its sentence in terms of the applicable statutory sentencing factors, and that the sentence was substantively unreasonable in light of the facts of the case. The record reflects that the district court's explanation for imposing the sentence was sufficient. *See United States v. Miqbel*, 444 F.3d 1173, 1181-82 (9th Cir. 2006); *see also* 18 U.S.C. § 3583(e). The district court did not procedurally err, and the sentence imposed is substantively reasonable under the totality of the circumstances. *See Gall v. United States*, 552 U.S. 38, 51 (2007); *see also United States v. Carty*, 520 F.3d 984, 993 (9th Cir. 2008) (en banc).

AFFIRMED.