NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,	Nos. 09-30320, 09-30321
Plaintiff - Appellee,	D.C. No. 1:07-cr-00169-RFC-1
v.	
RONALD ALLEN MULLENBERG,	MEMORANDUM*
Defendant - Appellant.	

Appeal from the United States District Court
for the District of Montana
Richard F. Cebull, Chief District Judge, Presiding

Submitted July 7, 2010**
San Francisco, California

Before: HUG, SKOPIL and BEEZER, Circuit Judges.

Defendant-appellant Ronald Allen Mullenberg ("Mullenberg") appeals from

a final judgment convicting him of two counts of abusive sexual contact, in

violation of 18 U.S.C. §§ 1152, 2244(a)(1) & (C). Mullenberg pleaded guilty to

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* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

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

the crimes without a plea agreement, and the district court sentenced him to 121 months imprisonment. We have jurisdiction over this matter pursuant to 28 U.S.C. § 1291, and we affirm. The facts of this case are known to the parties. We do not repeat them.

We review "all sentencing decisions" for an abuse of discretion. *United States v. Carty*, 520 F.3d 984, 993 (9th Cir. 2008) (en banc).

The determination of whether a sentence is substantively reasonable is "guided by the sentencing factors set forth in 18 U.S.C. § 3553(a), including the sentencing range established by the Sentencing Guidelines." *United States v. Plouffe*, 445 F.3d 1126, 1131 (9th Cir. 2006).

Here, contrary to Mullenberg's assertions, the record indicates that the district court engaged in a "thorough and thoughtful consideration of the § 3553 factors" and properly exercised its discretion by imposing a sentence within the applicable guidelines sentencing range. *United States v. Cabaccang*, 481 F.3d 1176, 1188 (9th Cir. 2007).

AFFIRMED.