

OCT 28 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NOT FOR PUBLICATION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.

B. V. J.,

Defendant - Appellant.

No. 10-30047

D.C. No. 4:09-cr-00113-SEH

MEMORANDUM*

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

Submitted October 19, 2010**

Before: O'SCANNLAIN, TALLMAN, and BEA, Circuit Judges.

Appellant, a juvenile, appeals from the sentence imposed following his true-plea to an act of juvenile delinquency, pursuant to 18 U.S.C. § 5031, that constituted aiding and abetting burglary, in violation of 18 U.S.C. § 2(a); 18 U.S.C. § 1153(a), (b). Appellant was sentenced to official detention for 14 months and to

* 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).

supervision following his release from official detention until his eighteenth birthday. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

The record reflects that the district court conducted the requisite “assessment of the totality of the unique circumstances and rehabilitative needs” of appellant. *United States v. Juvenile*, 347 F.3d 778, 787 (9th Cir. 2003). Appellant has not shown that the district court abused its discretion by failing to impose the “least restrictive means to accomplish [appellant’s] rehabilitation.” *Id.*

AFFIRMED.