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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>UNITED STATES OF AMERICA,</p> <p style="text-align: center;">Plaintiff - Appellee,</p> <p style="text-align: center;">v.</p> <p>RALPH DELBERT BROWN, III,</p> <p style="text-align: center;">Defendant - Appellant.</p>
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No. 10-30092

D.C. No. 1:09-cr-00098-RFC

MEMORANDUM*

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

Submitted December 14, 2010**

Before: GOODWIN, WALLACE, and CLIFTON, Circuit Judges.

Ralph Delbert Brown, III appeals from the duration and the conditions of the term of supervised release imposed following his guilty-plea conviction for sexual abuse of a minor, in violation of 18 U.S.C. §§ 1153(a) and 2243(a)(1). 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).

Brown contends that his lifetime term of supervised release is unreasonable. Under the totality of circumstances, including the ongoing nature of sexual abuse, the lifetime of supervised release is warranted. *See United States v. Cope*, 527 F.3d 944, 952 (9th Cir. 2008).

Brown also challenges several conditions of his supervised release. Brown's challenges of the special supervised release conditions number six, eight, and nine lack merit. *See United States v. Bee*, 162 F.3d 1232, 1235-36 (9th Cir. 1998). Brown's challenge of the special supervised release condition number 11 also lacks merit. *See United States v. Wise*, 391 F.3d 1027, 1031 (9th Cir. 2004); *see also* 18 U.S.C. § 3553(a)(2)(C).

AFFIRMED.