

OCT 28 2011

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NOT FOR PUBLICATION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.

JERRY LEE HUFFMAN,

Defendant - Appellant.

No. 10-50608

D.C. No. 2:10-cr-00974-JFW

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
John F. Walter, District Judge, Presiding

Submitted October 25, 2011**

Before: TROTT, GOULD, and RAWLINSON, Circuit Judges.

Jerry Lee Huffman appeals from the 46-month sentence imposed following his guilty-plea conviction for bank robbery, in violation of 18 U.S.C. § 2113(a).

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).

Huffman contends that the district court failed to explain adequately its reasons for rejecting a sentence below the advisory Sentencing Guidelines range. The record belies this contention. Accordingly, Huffman has not demonstrated that the district court erred, let alone that it committed plain error. *See United States v. Waknine*, 543 F.3d 546, 554-55 (9th Cir. 2008).

Huffman also contends that his sentence is substantively unreasonable. In light of the totality of the circumstances and the sentencing factors set forth in 18 U.S.C. § 3553(a), the sentence at the low-end of the Guidelines range was reasonable. *See Gall v. United States*, 552 U.S. 38, 51 (2007); *United States v. Carty*, 520 F.3d 984, 993-94 (9th Cir. 2008) (en banc).

AFFIRMED.