

OCT 28 2011

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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NOT FOR PUBLICATION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>v.</p> <p>PETER M. GATLIN, a.k.a. Peter Gatlin, a.k.a. Peter Marshall Gatlin,</p> <p style="text-align: center;">Defendant - Appellant.</p>
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No. 10-50623

D.C. No. 2:10-cr-00532-SJO

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
S. James Otero, District Judge, Presiding

Submitted October 25, 2011**

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

Peter M. Gatlin appeals from the 60-month sentence imposed following his guilty-plea conviction for passing materially altered postal money orders, and aiding and abetting, in violation of 18 U.S.C. §§ 500, 2(a), and for being a felon in

* 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).

possession of a firearm and ammunition, in violation of 18 U.S.C. § 922(g). We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Gatlin contends that the district court gave undue weight to his extended criminal history and to additional conduct described in the presentence report (“PSR”), and that his sentence is substantively unreasonable. The district court’s consideration of conduct described in the PSR was not improper, *see United States v. Columbus*, 881 F.2d 785, 787 (9th Cir. 1989), and the sentence is reasonable in light of the totality of the circumstances and the 18 U.S.C. § 3553(a) sentencing factors. *See Gall v. United States*, 552 U.S. 38, 51 (2007); *United States v. Valencia-Barragan*, 608 F.3d 1103, 1108-09 (9th Cir. 2010).

AFFIRMED.