

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NOT FOR PUBLICATION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>Plaintiff - Appellee,</p> <p>v.</p> <p>CONRAD JOSEPH OLD HORN, Jr.,</p> <p>Defendant - Appellant.</p>
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No. 11-30024

D.C. No. 4:10-cr-00086-SEH

MEMORANDUM\*

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

Submitted October 25, 2011\*\*

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

Conrad Joseph Old Horn, Jr., appeals from the 51-month sentence imposed following his guilty-plea conviction for assault resulting in serious bodily injury, in violation of 18 U.S.C. §§ 1153, 113(a)(6). We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

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\* 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).

Old Horn contends that the district court erred by refusing to grant him a two-level reduction for acceptance of responsibility. In light of the record before the district court, there was no clear error. *See United States v. Hopper*, 27 F.3d 378, 381-82 (9th Cir. 1994).

**AFFIRMED.**