

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NOT FOR PUBLICATION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.

CONRAD JOSEPH OLD HORN, Jr.,

Defendant - Appellant.

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.

* 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.