

NOV 08 2011

MOLLY C. DWYER, CLERK
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NOT FOR PUBLICATION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>CHASE RAY STRIKE,</p> <p style="text-align: center;">Defendant - Appellant.</p>
--

No. 10-30376

D.C. No. 1:10-cr-00006-RFC

MEMORANDUM*

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

Submitted November 8, 2011**

Before: O'SCANNLAIN, TASHIMA, and GRABER, Circuit Judges.

Chase Ray Strike appeals from the 160-month sentence imposed following his guilty-plea conviction for conspiracy to possess with intent to distribute ecstasy, in violation of 21 U.S.C. § 846. 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).

Strike contends that the district court erred by failing adequately to explain the sentence, and that the sentence imposed is greater than necessary to achieve the statutory goals of sentencing. The record reflects that the district court considered Strike's arguments in support of his request for a sentence below the Guidelines range, and provided a well-reasoned and thorough analysis of the relevant sentencing factors before concluding that the circumstances were insufficient to warrant a sentence below the one imposed. The district court did not procedurally err, and Strike's sentence at the lower end of the applicable Guidelines range is substantively reasonable under the totality of the circumstances and in light of the sentencing factors set forth in 18 U.S.C. § 3553(a). *See Gall v. United States*, 552 U.S. 38, 51 (2007); *see also United States v. Carty*, 520 F.3d 984, 992-93, 995 (9th Cir. 2008) (en banc).

AFFIRMED.