

JAN 19 2012

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

WILLIAM SCOTT SOURS,

Petitioner - Appellant,

v.

RICARDO E. CHAVEZ, Warden,

Respondent - Appellee.

No. 11-15797

D.C. No. 2:08-cv-01903-SRB

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Arizona  
Susan R. Bolton, District Judge, Presiding

Submitted January 17, 2012\*\*

Before: LEAVY, TALLMAN, and CALLAHAN, Circuit Judges.

William Scott Sours appeals pro se from the district court’s denial of his motion for contempt. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Sours contends the district court abused its discretion by denying the motion because the Bureau of Prisons (“BOP”) violated the district court’s August 27, 2009, order to stop collecting restitution payments through the Inmate Financial

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

Responsibility Program (IFRP).

We review the denial of a motion for contempt for abuse of discretion. *Balla v. Idaho State Bd. of Corr.*, 869 F.2d 461, 464 (9th Cir. 1989). The record shows that the BOP began collecting restitution payments again after Sours voluntarily entered into a contract and agreed to participate in the IFRP. Accordingly, the district court did not abuse its discretion by denying the motion for contempt. *See United States v. Lemoine*, 546 F.3d 1042, 1048 (9th Cir. 2008) (“[N]othing in the text of the statute or our prior decisions places any limits on the BOP’s operation of an independent program, such as the IFRP, that encourages inmates voluntarily to make more generous restitution payments than mandated in their respective judgments.”).

**AFFIRMED.**