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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NOT FOR PUBLICATION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>JASMIN JOHNSTON,</p> <p>Defendant - Appellant.</p>

No. 11-10450

D.C. No. 2:07-cr-00056-LKK

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Lawrence K. Karlton, District Judge, Presiding

Submitted February 21, 2012**

Before: FERNANDEZ, McKEOWN, and BYBEE, Circuit Judges.

Jasmin Johnston appeals from the 24-month sentence imposed following the revocation of supervised release. 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).

Johnston contends that the district court's revocation sentence exceeded the term that she reasonably believed was permissible under the plea agreement. This contention lacks merit as the plea agreement accurately summarized the district court's sentencing authority for violations of supervised release. *See* 18 U.S.C. § 3583(e)(3); *United States v. Knight*, 580 F.3d 933, 937-38 (9th Cir. 2009); *see also United States v. Waknine*, 543 F.3d 546, 551 (9th Cir. 2008) (“To decide whether a plea agreement has been breached, this court considers what the defendant reasonably understood when he pled guilty.”)

AFFIRMED.