

JUL 20 2012

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NOT FOR PUBLICATION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.

WILLIAM SLATTERY,

Defendant - Appellant.

No. 11-50457

D.C. No. 2:04-cr-00950-DDP

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Dean D. Pregerson, District Judge, Presiding

Submitted July 17, 2012**

Before: SCHROEDER, THOMAS, and SILVERMAN, Circuit Judges.

William Slattery appeals from the 24-month sentence imposed upon 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).

Slattery contends that the district court procedurally erred by failing to explain adequately its reasons for the revocation sentence. The record belies his contention.

Slattery next contends that his sentence is substantively unreasonable. In light of Slattery's breach of trust and failure to be deterred, and the need to protect the public, the sentence is substantively reasonable. *See* 18 U.S.C. § 3583(e); *United States v. Simtob*, 485 F.3d 1058, 1063 (9th Cir. 2007) (where defendant violates supervised release by committing same offense for which he was placed on supervised release, breach of trust is more significant and "greater sanctions may be required to deter future criminal activity").

AFFIRMED.