

OCT 16 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NOT FOR PUBLICATION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.

LEROY MCCOY,

Defendant - Appellant.

No. 12-10066

D.C. No. 2:05-cr-00425-KJD

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Kent J. Dawson, District Judge, Presiding

Submitted October 9, 2012**

Before: RAWLINSON, MURGUIA, and WATFORD, Circuit Judges.

Leroy McCoy 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).

McCoy contends that the district court erred by failing to provide specific reasons for his above-Guidelines sentence, making it impossible to determine if the court relied on impermissible factors. The record belies this contention. The district court noted McCoy's history and background and concluded that he was not amenable to supervision based on his past violations. Nothing more was required. *See United States v. Leonard*, 483 F.3d 635, 637 (9th Cir. 2007).

AFFIRMED.