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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NOT FOR PUBLICATION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 style="text-align: center;">Plaintiff - Appellee,</p> <p style="text-align: center;">v.</p> <p>TYRONE GLOVER,</p> <p style="text-align: center;">Defendant - Appellant.</p>

No. 11-50239

D.C. No. 2:10-cr-00994-DSF-1

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Dale S. Fischer, District Judge, Presiding

Submitted November 5, 2012**
Pasadena, California

Before: GRABER, IKUTA, and WATFORD, Circuit Judges.

Defendant Tyrone Glover appeals (1) the district court’s finding that he violated the terms of his supervised release and (2) the resulting sentence of 60 months’ imprisonment. 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. Fed. R. App. P. 34(a)(2).

1. Sufficient evidence, which included evidence that Defendant had pleaded nolo contendere to felony charges in California court, supported the district court's finding that the government proved both allegations. United States v. Verduzco, 330 F.3d 1182, 1185–86 (9th Cir. 2003).

2. The district court neither abused its discretion nor imposed an unreasonable sentence when it imposed a within-Guidelines sentence. See generally United States v. Carty, 520 F.3d 984, 991–93 (9th Cir. 2008) (en banc). The district court properly considered the factors listed in 18 U.S.C. § 3583(e) and did not rely on an impermissible factor as a primary basis for its sentence. United States v. Miquel, 444 F.3d 1173, 1181–83 (9th Cir. 2006).

AFFIRMED.