

JUN 21 2013

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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NOT FOR PUBLICATION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>THOMAS WILLIAM CRIMMINS,</p> <p style="text-align: center;">Defendant - Appellant.</p>
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No. 12-30260

D.C. No. 1:11-cr-30035-PA

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Oregon  
Owen M. Panner, District Judge, Presiding

Submitted June 18, 2013\*\*

Before: TALLMAN, M. SMITH, and HURWITZ, Circuit Judges.

Thomas William Crimmins appeals from the district court’s judgment and challenges the 480-month sentence imposed following his guilty-plea conviction for four counts of mailing child pornography, in violation of 18 U.S.C.

§ 2252A(a)(1); four counts of distributing child pornography, in violation of 18

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\* 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).

U.S.C. § 2252A(a)(2), (b)(1); and two counts of possession of child pornography, in violation of 18 U.S.C. §§ 2252A(a)(5) and 2256(8). We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Crimmins contends that his sentence is substantively unreasonable. We review for abuse its discretion. *See Gall v. United States*, 552 U.S. 38, 51 (2007). The 480-month sentence is substantively reasonable in light of the 18 U.S.C. § 3553(a) sentencing factors and the totality of the circumstances, including the nature and circumstances of the offense. *See id.*

To the extent that Crimmins contends that the district court procedurally erred at sentencing, the record supports the district court's conclusion regarding Crimmins's dangerousness and the court adequately explained the sentence.

**AFFIRMED.**