

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

JAN 22 2014

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

EUGENE P. PATTERSON,

Defendant - Appellant.

No. 13-10142

D.C. No. 4:11-cr-03745-DCB

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Arizona  
David C. Bury, District Judge, Presiding

Submitted January 21, 2014\*\*

Before: CANBY, SILVERMAN, and PAEZ, Circuit Judges.

Eugene P. Patterson appeals from the district court's judgment and challenges his guilty-plea conviction for assault on a federal officer, in violation of 18 U.S.C. § 111(a). We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Patterson challenges the district court's denial of his motion to withdraw his

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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).

guilty plea. The district court did not abuse its discretion in determining that Patterson had failed to demonstrate a fair and just reason for requesting withdrawal of his plea. *See* Fed. R. Crim. P. 11(d)(2)(B); *United States v. Ortega-Ascanio*, 376 F.3d 879, 883 (9th Cir. 2004) (stating standard of review).

**AFFIRMED.**