

FEB 26 2014

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NOT FOR PUBLICATION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.

ROYAL GENE JONES,

Defendant - Appellant.

No. 13-30173

D.C. No. 4:06-cr-00089-CCL

MEMORANDUM*

Appeal from the United States District Court
for the District of Montana
Charles C. Lovell, District Judge, Presiding

Submitted February 18, 2014**

Before: ALARCÓN, O’SANNLAIN, and FERNANDEZ, Circuit Judges.

Royal Gene Jones appeals from the district court’s order denying his motion to modify his conditions 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).

Jones argues that the district court erred by failing to consider the goals of 18 U.S.C. § 3624(c) when it denied his motion seeking permission to reside in Wyoming while on supervised release, which the district court construed as a motion for transfer of jurisdiction over his supervised release under 18 U.S.C. § 3605. This argument is unpersuasive. By its own terms, section 3624(c) applies to prerelease custody, not supervised release. *See* 18 U.S.C. § 3624(c)(1). Moreover, because the District of Wyoming did not accept jurisdiction over Jones, the district court properly concluded that he did not satisfy the statutory requirements of section 3605. *See United States v. Ohler*, 22 F.3d 857, 858-59 (9th Cir. 1994).

AFFIRMED.