

JUN 26 2014

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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NOT FOR PUBLICATION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>STACY JOHNSON,</p> <p style="text-align: center;">Defendant - Appellant.</p>

No. 13-10466

D.C. No. 2:10-cr-00190-GMN

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Gloria M. Navarro, Chief Judge, Presiding

Submitted June 25, 2014**

Before: HAWKINS, TALLMAN, and NGUYEN, Circuit Judges.

Stacy Johnson appeals from the district court’s judgment and challenges the restitution order imposed as a special condition of supervised release, following her jury-trial conviction for embezzlement, in violation of 29 U.S.C. § 501(c), and falsifying union records, in violation of 29 U.S.C. § 439(c). We have jurisdiction

* 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).

under 28 U.S.C. § 1291, and we affirm.

Johnson challenges the special condition of supervised release which requires that she pay \$6,000 in restitution at a rate of \$500 per month. Johnson contends that this condition is greater than necessary and unreasonable in light of her financial circumstances. We review for abuse of discretion, *see United States v. Batson*, 608 F.3d 630, 632-33 (9th Cir. 2010), and find none. The restitution order is reasonably related to the goals of deterrence and providing just punishment, and it does not involve a greater deprivation of liberty than is reasonably necessary. *See* 18 U.S.C. §§ 3563(b)(2) and 3583(c), (d); *Batson*, 608 F.3d at 636-37 (district court may order, as a condition of supervised release, restitution in the amount of loss caused by the offense of conviction).

AFFIRMED.