

JUN 30 2015

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NOT FOR PUBLICATION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.

RICHARD COOKE,

Defendant - Appellant.

Nos. 13-10677

14-10007

D.C. No. 3:13-cr-08081-DGC

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Arizona  
David G. Campbell, District Judge, Presiding

Submitted June 22, 2015\*\*

Before: HAWKINS, GRABER, and W. FLETCHER, Circuit Judges.

In these consolidated appeals, Richard Cooke appeals from the district court's judgment and challenges the 228-month sentence imposed following his jury-trial convictions for voluntary manslaughter, in violation of 18 U.S.C. § 1112; and discharging a firearm during and in relation to a crime of violence, in violation

---

\* 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).

of 18 U.S.C. § 924(c)(1)(A)(iii). We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Cooke contends that the district court procedurally erred by failing to explain adequately its imposition of the high-end Guidelines sentence on the voluntary manslaughter count. We review for plain error, *see United States v. Valencia-Barragan*, 608 F.3d 1103, 1108 (9th Cir. 2010), and find none. The record reflects that the district court sufficiently explained the basis for its sentence. Contrary to Cooke's contention, the district court justified its imposition of the particular sentence and responded to the parties' arguments. *See Rita v. United States*, 551 U.S. 338, 357 (2007).

**AFFIRMED.**