

JUN 20 2016

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NOT FOR PUBLICATION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.

PAUL MICHAEL STEVENSON, a.k.a.
Paul Michael Threefingers,

Defendant - Appellant.

No. 15-30145

D.C. No. 1:14-cr-00124-SPW

MEMORANDUM*

Appeal from the United States District Court
for the District of Montana
Susan P. Watters, District Judge, Presiding

Submitted June 14, 2016**

Before: BEA, WATFORD, and FRIEDLAND, Circuit Judges.

Paul Michael Stevenson appeals from the district court's judgment and challenges the 30-month sentence imposed following his guilty-plea conviction for

* 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).

failure to register as a sexual offender, in violation of 18 U.S.C. § 2250(a). We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Stevenson contends that his sentence is substantively unreasonable because the district court overemphasized the risk he poses to the public. The district court did not abuse its discretion in imposing Stevenson's sentence. *See Gall v. United States*, 552 U.S. 38, 51 (2007). The high-end sentence is substantively reasonable in light of the 18 U.S.C. § 3553(a) sentencing factors and the totality of the circumstances, including Stevenson's failure to complete a sex offender treatment program and his two previous convictions for failure to register. *See Gall*, 552 U.S. at 51. Contrary to Stevenson's argument, the record reflects that the district court made its own determination that Stevenson presents a danger to the community, rather than relying on a prior judge's assessment of the threat he poses.

AFFIRMED.