

AUG 02 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NOT FOR PUBLICATION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.

BUFORD EDDY TERWILLEGER,

Defendant - Appellant.

No. 15-30321

D.C. No. 3:15-cr-05291-BHS

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
Benjamin H. Settle, District Judge, Presiding

Submitted July 26, 2016**

Before: SCHROEDER, CANBY, and CALLAHAN, Circuit Judges.

Buford Eddy Terwillegger appeals from the district court's judgment and challenges a condition of supervised release imposed following his guilty-plea conviction for failure to register and update sex offender registration, in violation of 18 U.S.C. § 2250(a). We have jurisdiction under 28 U.S.C. § 1291, and we

* 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).

affirm.

Terwilleger challenges the condition of supervised release requiring him to participate in a sexual-deviancy assessment. We review for an abuse of discretion, *see United States v. Napulou*, 593 F.3d 1041, 1044 (9th Cir. 2010), and find none. Contrary to Terwilleger’s contentions, the condition is reasonably related to the goals of protecting the public and rehabilitation in light of his history and characteristics and involves no greater deprivation of liberty than is reasonably necessary. *See* 18 U.S.C. § 3583(d)(1), (2); *United States v. Johnson*, 697 F.3d 1249, 1251 (9th Cir. 2012) (an assessment condition is a “much less significant restraint” than sex offender treatment and justified even when the prior convictions are decades-old).

AFFIRMED.