

FILED

APR 20 2017

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NOT FOR PUBLICATION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.

SAMUEL GORDON LAVERDURE,

Defendant-Appellant.

No. 16-30197

D.C. No. 2:15-cr-00032-LRS

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of Washington
Lonny R. Suko, District Judge, Presiding

Submitted April 11, 2017**

Before: GOULD, CLIFTON, and HURWITZ, Circuit Judges.

Samuel Gordon Laverdure appeals from the district court's judgment and challenges the 8-month custodial sentence and 16-month supervised release term imposed following revocation 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 Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Laverdure contends that his supervised release term is substantively unreasonable in light of his unwillingness to comply with the terms of supervised release. He argues that the district court should have imposed a longer custodial sentence with no supervised release to follow. The district court did not abuse its discretion in imposing Laverdure's sentence. *See Gall v. United States*, 552 U.S. 38, 51 (2007). The custodial sentence and term of supervised release are substantively reasonable in light of the 18 U.S.C. § 3553(a) sentencing factors and the totality of the circumstances, including the need to protect the public. *See Gall*, 552 U.S. at 51. Furthermore, contrary to Laverdure's contention, the record reflects that the district court considered his argument that no further term of supervised release should be imposed.

AFFIRMED.