

FEB 17 2011

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

WILLIE JAMES COWARD, a.k.a.  
William James Coward,

Defendant - Appellant.

No. 10-10262

D.C. No. 1:09-cr-00343-JMS

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Hawaii  
J. Michael Seabright, District Judge, Presiding

Submitted February 15, 2011\*\*

Before: CANBY, FERNANDEZ, and M. SMITH, Circuit Judges.

Willie James Coward appeals from the eight-month sentence imposed following his guilty-plea conviction for making a false statement in an application for a United States passport, in violation of 18 U.S.C. § 1542. We have

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\* 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).

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

Coward contends that the district court procedurally erred in failing to explicitly state that it had considered sentencing options other than imprisonment. The record reflects that the district court was aware of and considered all of the sentencing options. *See United States v. Carty*, 520 F.3d 984, 991-95 (9th Cir. 2008) (en banc).

Coward also contends that his sentence is substantively unreasonable. Under the totality of circumstances, including Coward's decades-long history of using another person's identity, the eight-month sentence is substantively reasonable. *See id.* at 993.

**AFFIRMED.**