

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 20 2018

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

No. 17-30253

Plaintiff-Appellee,

D.C. No. 3:17-cr-00055-SLG

v.

MEMORANDUM*

DAREK MICHAEL GORDON,

Defendant-Appellant.

Appeal from the United States District Court
for the District of Alaska

Sharon L. Gleason, District Judge, Presiding

Submitted August 15, 2018**

Before: FARRIS, BYBEE, and N.R. SMITH, Circuit Judges.

Darek Michael Gordon appeals from the district court's judgment and challenges the 60-month sentence imposed following his guilty-plea conviction for being a felon in possession of a firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2). 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).

Gordon contends that his above-Guidelines sentence is substantively unreasonable and not justified by any reasonable consideration of the 18 U.S.C. § 3553(a) sentencing factors. The district court did not abuse its discretion in imposing Gordon's sentence. *See Gall v. United States*, 552 U.S. 38, 51 (2007). The sentence is substantively reasonable in light of the section 3553(a) factors and the totality of the circumstances, including Gordon's extensive criminal history. *See id.*

AFFIRMED.