

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JAN 18 2019

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 18-30132

Plaintiff-Appellee,

D.C. No. 2:08-cr-06027-LRS

v.

MEMORANDUM*

JASON PAUL CHRISTENSEN,

Defendant-Appellant.

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

Submitted January 15, 2019**

Before: TROTT, TALLMAN, and CALLAHAN, Circuit Judges.

Jason Paul Christensen appeals from the district court's judgment and challenges the 32-month term of supervised release imposed upon revocation of supervised release, and the condition of supervised release requiring him to reside in a residential reentry center ("RRC") for the first 90 days of his supervised

* 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).

release term. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Christensen argues that the RRC condition and the 32-month supervised release term are substantively unreasonable. The district court did not abuse its discretion. *See United States v. Daniels*, 541 F.3d 915, 924 (9th Cir. 2008).

Notwithstanding Christensen's prior experience in an RRC, the RRC condition is reasonably related to Christensen's rehabilitation and involves no greater deprivation of liberty than is reasonably necessary to achieve the purposes of supervised release. *See* 18 U.S.C. § 3583(d); *Daniels*, 541 F.3d at 924.

Moreover, the 32-month term of supervised release is substantively reasonable in light of the totality of the circumstances, including the entirety of Christensen's performance on his prior term of supervised release. *See United States v. Hurt*, 345 F.3d 1033, 1036 (9th Cir. 2003).

AFFIRMED.