

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 21 2023

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

LEONA LOUISE SUTTON,

Defendant - Appellant.

No. 23-841

D.C. No.

2:11-cr-00151-WFN-1

Eastern District of Washington,  
Spokane

MEMORANDUM\*

Appeal from the United States District Court  
for the Eastern District of Washington  
Wm. Fremming Nielsen, District Judge, Presiding

Submitted September 12, 2023\*\*

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

Leona Louise Sutton appeals from the district court's judgment and challenges the six-month sentence imposed upon the second revocation of her supervised release. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Sutton contends that the sentence is substantively unreasonable in light of

---

\* 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).

the nature of her supervision violation and her mitigating circumstances. We conclude that the district court did not abuse its discretion. *See Gall v. United States*, 552 U.S. 38, 51 (2007). The within-Guidelines sentence, to be followed by no further supervision, is substantively reasonable in light of the 18 U.S.C. § 3583(e) sentencing factors and the totality of the circumstances. *See Gall*, 552 at 51.

**AFFIRMED.**