

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 25 2025

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BRANDON CHARLES NELSON,

Defendant - Appellant.

No. 25-1246

D.C. No.

3:20-cr-00308-AB-1

MEMORANDUM\*

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

Amy M. Baggio, District Judge, Presiding

Submitted July 15, 2025\*\*

Before: SILVERMAN, TALLMAN, and BUMATAY, Circuit Judges.

Brandon Charles Nelson appeals from the district court's judgment and challenges the 12-month sentence imposed upon the third revocation of his supervised release. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Nelson contends that the sentence is substantively unreasonable in light of

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\* 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).

his childhood trauma, mental illness, and substance abuse, as well as the allegedly minor nature of his violation. We review this claim for abuse of discretion. *See Gall v. United States*, 552 U.S. 38, 51 (2007).

The district court did not abuse its discretion. The within-Guidelines sentence is substantively reasonable under the 18 U.S.C. § 3583(e) factors and the totality of the circumstances, including Nelson's repeated breaches of the court's trust over a short period of time. *See Gall*, 552 U.S. at 51; *United States v. Simtob*, 485 F.3d 1058, 1062 (9th Cir. 2007).

**AFFIRMED.**