

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 4 2026

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ALFRED DJ GRIFFEN,

Defendant - Appellant.

No. 25-5919

D.C. No.

2:19-cr-00081-RSM-1

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
Ricardo S. Martinez, District Judge, Presiding

Submitted July 29, 2026**

Before: McKEOWN, TALLMAN, and MENDOZA, JR., Circuit Judges.

Alfred DJ Griffen appeals from the district court's judgment and challenges the 24-month sentence imposed upon the third revocation of his supervised release.

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

Griffen first contends the district court procedurally erred by failing to

* 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).

explain adequately why it rejected the evidence of his post-sentencing rehabilitation. The record reflects, however, that the court considered all of Griffen's mitigating evidence. It explained that an above-Guidelines sentence was warranted, notwithstanding this evidence, given Griffen's repeated violations, resistance to supervision, and concerning behavior. This explanation was sufficient. *See United States v. Carty*, 520 F.3d 984, 992 (9th Cir. 2008) (en banc).

Griffen also argues the 24-month sentence is substantively unreasonable given the nature of the violations. The district court did not abuse its discretion. *See Gall v. United States*, 552 U.S. 38, 51 (2007). The sentence is substantively reasonable in light of the 18 U.S.C. § 3583(e) factors and the totality of the circumstances. *See Gall*, 552 U.S. at 51; *see also United States v. Gutierrez-Sanchez*, 587 F.3d 904, 908 (9th Cir. 2009) ("The weight to be given the various factors in a particular case is for the discretion of the district court.").

AFFIRMED.