

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 3 2018

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

KATHERINE ANNE SEGAL, a.k.a. Kat  
Gibson, a.k.a. Katherine Anne Gibson, a.k.a.  
Katherine Anne Preston,

Defendant-Appellant.

No. 18-30031

D.C. No. 1:17-cr-00054-BLW

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Idaho  
B. Lynn Winmill, Chief Judge, Presiding

Submitted November 27, 2018\*

Before: CANBY, TASHIMA, and FRIEDLAND, Circuit Judges.

Katherine Anne Segal appeals from the district court's judgment and challenges the 70-month sentence imposed following her guilty-plea conviction for possession with intent to distribute and importation of Alpha-PVP, in violation 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).

21 U.S.C §§ 841(a)(1) and 952. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Segal contends that the sentence is substantively unreasonable because the district court gave excessive weight to deterrence and public safety concerns and failed to consider sufficiently her personal characteristics, including her history of substance abuse, untreated mental health issues, and an eating disorder. The district court did not abuse its discretion. *See Gall v. United States*, 552 U.S. 38, 51 (2007). “The weight to be given the various factors in a particular case is for the discretion of the district court.” *United States v. Gutierrez-Sanchez*, 587 F.3d 904, 908 (9th Cir. 2009). The low-end, 70-month sentence is substantively reasonable in light of the 18 U.S.C. § 3553(a) sentencing factors and the totality of the circumstances, including Segal’s criminal history, the failure of prior sentences to deter her from further criminal conduct, and the large quantity of Alpha-PVP she imported. *See Gall*, 552 U.S. at 51.

**AFFIRMED.**