

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-4514

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

EDWARD WASHINGTON,

Defendant - Appellant.

Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. Thomas D. Schroeder, District Judge. (1:11-cr-00388-TDS-1)

Submitted: December 5, 2012

Decided: December 13, 2012

Before MOTZ, KING, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Louis C. Allen, Federal Public Defender, John A. Dusenbury, Jr., Assistant Federal Public Defender, Greensboro, North Carolina, for Appellant. Ripley Rand, United States Attorney, Stephen T. Inman, Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Edward Washington appeals his sentence of ten months' imprisonment after pleading guilty pursuant to a plea agreement to the theft of Government funds, in violation of 18 U.S.C. § 641 (2006). Washington challenges only the substantive reasonableness of his sentence. We affirm.

We review the substantive reasonableness of a sentence using the abuse-of-discretion standard. Gall v. United States, 552 U.S. 38, 51 (2007); United States v. Lynn, 592 F.3d 572, 575 (4th Cir. 2010). A sentence below the applicable Guidelines range is presumptively reasonable. United States v. Susi, 674 F.3d 278, 289 (4th Cir. 2012). Such presumption is rebutted only by a showing that the sentence is unreasonable when measured against the 18 U.S.C. § 3553(a) (2006) factors. United States v. Montes-Pineda, 445 F.3d 375, 379 (4th Cir. 2006).

Washington has failed to overcome the presumption of reasonableness. Washington received a sentence below the applicable Guidelines range. The district court thoroughly explained its selected sentence, citing the lengthy period during which Washington's crime was ongoing and the need for deterrence. We conclude that the district court did not abuse its discretion in selecting the sentence.

Accordingly, we affirm. We dispense with oral argument because the facts and legal contentions are adequately

presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED