

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 06-1576

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United States of America,

Appellee,

v.

James Patterson,

Appellant.

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Appeal from the United States  
District Court for the  
Eastern District of Arkansas.

[UNPUBLISHED]

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Submitted: December 22, 2006

Filed: December 28, 2006

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Before MURPHY, BYE, and MELLOY, Circuit Judges.

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PER CURIAM.

James Patterson pleaded guilty to possessing a stolen firearm, in violation of 18 U.S.C. § 922(j). The district court<sup>1</sup> calculated an advisory Guidelines imprisonment range of 10-16 months, and sentenced Patterson to 12 months and one day in prison and three years of supervised release. On appeal Patterson argues, citing United States v. Booker, 543 U.S. 220 (2005), that the district court violated his Sixth Amendment right to a jury trial by enhancing the applicable Guidelines range based on his possession of three stolen firearms, see U.S.S.G. § 2K2.1(b)(1)(A).

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<sup>1</sup>The Honorable J. Leon Holmes, Chief Judge, United States District Court for the Eastern District of Arkansas.

We reject Patterson's argument, see United States v. Salter, 418 F.3d 860, 862 (8th Cir. 2005) (after Booker, district court may enhance sentence based on judge-found facts if court views Guidelines as advisory), cert. denied, 126 S. Ct. 1399 (2006); and further conclude that Patterson's sentence was not unreasonable, see Booker, 543 U.S. at 261-62 (appellate courts must review sentences for unreasonableness); United States v. Lincoln, 413 F.3d 716, 717-18 (8th Cir.) (sentence within Guidelines range is presumptively reasonable; defendant bears burden to rebut that presumption), cert. denied, 126 S. Ct. 840 (2005).

Accordingly, we affirm.

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