

DEC 07 2012

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ZACHARY BECK,

Defendant - Appellant.

No. 11-30251

D.C. No. 3:10-cr-05553-RJB-1

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
Robert J. Bryan, District Judge, Presiding

Submitted November 8, 2012**
Seattle, Washington

Before: W. FLETCHER and FISHER, Circuit Judges, and TUCKER, District
Judge.***

* This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision
without oral argument. Fed. R. App. P. 34(a)(2).

*** The Honorable Josephine Staton Tucker, United States District Judge
for the Central District of California, sitting by designation.

Defendant Zachary Beck appeals his conviction and his sentence after a bench trial on the basis that his waiver of his jury-trial right was not knowing, voluntary, or intelligent. Beck also appeals his conviction for conspiracy to violate civil rights on the ground that the government failed to prove an agreement to violate the victim's civil rights. We affirm.

Beck's jury-trial waiver was knowing, voluntary, and intelligent. The district court conducted an "in-depth" colloquy with Beck that adequately addressed the four elements of his jury-trial right, including his right to personally participate in jury selection. *United States v. Christensen*, 18 F.3d 822, 826 (9th Cir. 1994); *see United States v. Cochran*, 770 F.2d 850, 853 (9th Cir. 1985).

Sufficient evidence supported the district court's conclusion that Beck conspired to violate the victim's civil rights, including strong circumstantial evidence that Beck and his associates "acted with a common goal" in attacking the victim. *United States v. Corona-Verbera*, 509 F.3d 1105, 1117 (9th Cir. 2007).

AFFIRMED.