

DEC 30 2013

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NOT FOR PUBLICATION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.

JORDAN GERALD LEE JACKSON,

Defendant - Appellant.

No. 13-30032

D.C. No. 4:12-cr-00067-SEH

MEMORANDUM*

Appeal from the United States District Court
for the District of Montana
Sam E. Haddon, District Judge, Presiding

Submitted December 17, 2013**

Before: GOODWIN, WALLACE, and GRABER, Circuit Judges.

Jordan Gerald Lee Jackson appeals from the district court’s judgment and challenges the 30-month sentence imposed following his guilty-plea conviction for assault resulting in serious bodily injury, in violation of 18 U.S.C. §§ 1153 and 113(a)(6). We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

* 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. See Fed. R. App. P. 34(a)(2).

Jackson contends that the district court erred by failing to meaningfully consider the 18 U.S.C. § 3553(a) sentencing factors, basing its sentence on inferences not supported by the record, and failing to meaningfully consider and address Jackson's individual circumstances or his argument that his criminal history is overrepresented. The court did not procedurally err, *United States v. Carty*, 520 F.3d 984, 991-93 (9th Cir. 2008) (en banc), and Jackson's within-Guidelines sentence is substantively reasonable in light of the section 3553(a) sentencing factors and totality of the circumstances, including Jackson's criminal and substance abuse history and the seriousness of the instant offense. *See Gall v. United States*, 552 U.S. 38, 51 (2007).

AFFIRMED.