

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 20 2018

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 17-50282

Plaintiff-Appellee,

D.C. No. 8:95-cr-00077-JLS

v.

MEMORANDUM*

JOSE URIBE,

Defendant-Appellant.

Appeal from the United States District Court
for the Central District of California
Josephine L. Staton, District Judge, Presiding

Submitted August 15, 2018**

Before: FARRIS, BYBEE, and N.R. SMITH, Circuit Judges.

Jose Uribe appeals from the district court's denial of his motion for early termination of his supervised release under 18 U.S.C. § 3583(e)(1). We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Uribe contends that the district court abused its discretion in denying his

* 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).

motion by relying on an improper factor, overemphasizing the nature of Uribe's offense conduct, and failing to explain its decision adequately. Contrary to Uribe's contention, the district court identified the relevant 18 U.S.C. § 3553(a) factors, applied the correct legal standard, and did not abuse its broad discretion in concluding that early termination of supervised release was not in the interest of justice in light of the nature and circumstances of Uribe's offense conduct. *See* 18 U.S.C. § 3583(e)(1); *United States v. Emmett*, 749 F.3d 817, 819-20 (9th Cir. 2014). In addition, the district court's explanation was sufficient to permit meaningful appellate review. *See United States v. Carty*, 520 F.3d 984, 992 (9th Cir. 2008) (en banc).

AFFIRMED.