

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

NOV 23 2022

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 21-30263

Plaintiff-Appellee,

D.C. No. 3:09-cr-00451-MO-1

v.

MEMORANDUM*

BRYAN DEAN COFFMAN,

Defendant-Appellant.

Appeal from the United States District Court
for the District of Oregon
Michael W. Mosman, District Judge, Presiding

Submitted November 15, 2022**

Before: CANBY, CALLAHAN, and BADE, Circuit Judges.

Byran Dean Coffman appeals from the district court's order modifying the terms of his supervised release. We have jurisdiction under 28 U.S.C. § 1291.

Reviewing for abuse of discretion, *see United States v. Johnson*, 697 F.3d 1249, 1251 (9th Cir. 2012), we affirm.

* 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).

Coffman contends that the district court erred by relying on the probation office's changed policy rather than an individualized assessment when modifying the polygraph-related special condition of his supervised release. He argues that the modified condition imposes a greater deprivation than necessary given his successful performance on supervision, the age of his offenses, and his low individual risk. However, the record reflects that the district court considered Coffman's individualized circumstances when modifying the condition. The court specifically noted the need for risk reduction and its concerns about Coffman's "high levels of in-home isolation on a computer." Moreover, the modified polygraph condition is not unduly burdensome and is reasonably necessary for public protection, deterrence, and rehabilitation, in light of Coffman's criminal history and the nature of his child pornography offense. *See* 18 U.S.C. § 3583(d)(1), (2); *United States v. Hohag*, 893 F.3d 1190, 1193 (9th Cir. 2018).

Although Coffman has performed well on supervision, the district court did not abuse its broad discretion or exceed its statutory authority by modifying the polygraph condition. *See* 18 U.S.C. § 3583(e)(2); *Hohag*, 893 F.3d at 1192, 1194 (explaining that district courts have "wide discretion to impose conditions of supervised release" and describing polygraph testing as a "relatively unintrusive means of evaluating a defendant's risk of engaging in sexual misconduct").

AFFIRMED.