

APR 29 2008

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NOT FOR PUBLICATION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.

KRISTIN MARIE BAUMAN-ARMELIN,

Defendant - Appellant.

No. 06-50538

D.C. No. CR-06-00819-GT

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
Gordon Thompson, Senior District Judge, Presiding

Submitted April 22, 2008**

Before: GRABER, FISHER, and BERZON, Circuit Judges.

Kristin Marie Bauman-Armelin appeals from the 60-month sentence imposed following her guilty-plea conviction for possession of marijuana with

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

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

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intent to distribute, in violation of 21 U.S.C. §§ 952 and 960. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Bauman-Armelin contends that the district court's statement of reasons for imposing a sentence above the advisory Guidelines range did not satisfy 18 U.S.C. § 3553(c)(2). She also contends that her sentence is unreasonable in light of the factors set forth in § 3553(a). We conclude that the district court did not commit procedural error and that the sentence imposed is substantively reasonable. *See Gall v. United States*, 128 S. Ct. 586, 591, 598-602 (2007) (“[C]ourts of appeals must review all sentences – whether inside, just outside, or significantly outside the Guidelines range – under a deferential abuse-of-discretion standard”); *see also Rita v. United States*, 127 S. Ct. 2456, 2468-69 (2007); *United States v. Daychild*, 357 F.3d 1082, 1107-08 (9th Cir. 2004).

AFFIRMED.