

MAR 02 2009

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff - Appellee,</p> <p>v.</p> <p>JUVENILE FEMALE,</p> <p>Defendant - Appellant.</p>

No. 08-30112

D.C. No. 4:05-cr-00139-SEH

MEMORANDUM*

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

Submitted February 18, 2009**

Before: BEEZER, FERNANDEZ, and W. FLETCHER, Circuit Judges.

Juvenile Female appeals from the district court's determination, upon remand, to impose a sentence of juvenile detention until the age of 19, followed by

* 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).

supervision until the age of 21. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Appellant contends that the district court's sentence contravenes the rehabilitative purposes of the Federal Juvenile Delinquency Act, 18 U.S.C. § 5031 et. seq., and that detention was not the least restrictive means of achieving these purposes. We conclude that the district court did not abuse its discretion in fashioning the sentence. *See United States v. Doe*, 149 F.3d 945, 951 (9th Cir. 1998); *cf. United States v. Juvenile*, 347 F.3d 778, 787-88 (9th Cir. 2003).

AFFIRMED.