

APR 29 2009

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NOT FOR PUBLICATION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.

EUGENE ROBBIN PARKS,

Defendant - Appellant.

No. 08-30258

D.C. No. 4:07-CR-00100-SEH-1

MEMORANDUM*

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

Submitted April 13, 2009**

Before: GRABER, GOULD, and BEA, Circuit Judges.

Eugene Robbin Parks appeals from the 188-month sentence imposed following his guilty-plea conviction for conspiracy to possess methamphetamine

* 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).

with intent to distribute, in violation of 21 U.S.C. § 846. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Parks contends that his sentence is greater than necessary and that it fails to take into account his prospects for rehabilitation. We conclude that Park's sentence is substantively reasonable. *See Gall v. United States*, 128 S. Ct. 586, 600-02 (2007).

AFFIRMED.