

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 10-15809
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT AUG 4, 2011 JOHN LEY CLERK
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D.C. Docket No. 1:10-cr-00021-SPM-AK-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JAMES MICHAEL O'QUINN,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Florida

(August 4, 2011)

Before TJOFLAT, PRYOR and FAY, Circuit Judges.

PER CURIAM:

James O'Quinn appeals his sentence of 108 months of imprisonment for receiving and distributing child pornography. 18 U.S.C. § 2252A(a)(2)(A), (b)(1).

O'Quinn challenges the two-level enhancement of his sentence for distributing child pornography, United States Sentencing Guidelines Manual § 2G2.2(b)(3)(F) (2009), and the denial of his corresponding request for a two-level reduction of his sentence on the ground that he intended only to solicit and receive the pornographic materials, id. § 2G2.2(b)(1). We affirm.

The district court did not err when it enhanced O'Quinn's sentence for distributing child pornography and denied his corresponding request for a reduction of his sentence. O'Quinn pleaded guilty to Count One of his indictment that charged him with "knowingly receiv[ing] and distribut[ing] and attempt[ing] to receive and distribute child pornography," and he was subject to a two-level increase of his sentence for distributing that contraband, id. § 2G2.2(b)(3)(F). The commentary to section 2G2.2 provides that "distribution includes posting material involving the sexual exploitation of a minor on a website for public viewing." Id. cmt. n.1. O'Quinn admitted during his sentencing hearing that he "ma[d]e [the] [child pornography] files [on his computer] available" for "public viewing" through a file-sharing program called Limewire.

We **AFFIRM** O'Quinn's sentence.