

SEP 27 2010

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NOT FOR PUBLICATION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.

VERNON ALVIN LOUISVILLE, Jr.,

Defendant - Appellant.

No. 09-10285

D.C. No. 4:06-CR-00698-DLJ

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
D. Lowell Jensen, District Judge, Presiding

Submitted September 13, 2010**

Before: SILVERMAN, CALLAHAN, and N.R. SMITH, Circuit Judges.

Vernon Alvin Louisville, Jr. appeals pro se from the district court's order denying his 18 U.S.C. § 3582(c)(2) motion for reduction of sentence. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

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

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

Louisville contends his sentence does not reflect the reduction provided for in Amendment 706 of the United States Sentencing Guidelines. The district court properly denied the motion on the ground that Louisville had already received the benefit of the Guidelines amendment as he pleaded guilty and was sentenced after the amendment went into effect.

AFFIRMED.