

JAN 23 2017

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

HEIDI TIRADO,

Real-party-in-interest-  
Appellant.

No. 15-50316

D.C. No. 8:12-cr-00029-JLS

MEMORANDUM\*

Appeal from the United States District Court  
for the Central District of California  
Josephine L. Staton, District Judge, Presiding

Submitted January 18, 2017\*\*

Before: TROTT, TASHIMA, and CALLAHAN, Circuit Judges.

Heidi Tirado (“Appellant”) appeals pro se from the district court’s order granting the government’s motion for forfeiture of Pedro Alejandro Tirado’s \$50,000 appearance bond and entering judgment against Appellant as surety for

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\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

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

the full amount of the bond. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Appellant contends that the district court erred by entering a \$50,000 judgment against her as surety. The district court did not abuse its discretion in declining to set aside the bond forfeiture. *See United States v. Nguyen*, 279 F.3d 1112, 1115 (9th Cir. 2002). Contrary to Appellant's contention, the record shows that Appellant was adequately advised of the consequences of signing the Affidavit of Surety. Moreover, the district court applied the correct legal standard and properly weighed the relevant factors. *See id.* at 1115-17 (discussing factors a district court is to consider when ruling on a bond forfeiture motion). Finally, we reject Appellant's arguments that she was an inadequate surety or that her assets were inadequate to support the bond. *See United States v. Noriega-Sarabia*, 116 F.3d 417, 419 (9th Cir. 1997) (rejecting the argument that a bond is inadequate because the surety's "net worth was not up to the amount of the bond").

**AFFIRMED.**