

MAR 14 2017

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NOT FOR PUBLICATION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.

JACOB VINCENT GREEN-BRESSLER,

Defendant-Appellant.

No. 16-10263

D.C. No. 4:11-cr-03402-DCB

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
David C. Bury, District Judge, Presiding

Submitted March 8, 2017**

Before: LEAVY, W. FLETCHER, and OWENS, Circuit Judges.

Jacob Vincent Green-Bressler appeals from the district court's order denying his motion for a sentence reduction under 18 U.S.C. § 3582(c)(2). 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 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).

Green-Bressler contends that the district court abused its discretion by denying his motion for a sentence reduction under Amendment 782 to the Sentencing Guidelines. The district court acted within its discretion when it denied Green-Bressler a sentence reduction based on his criminal history and his role in the offense. *See* U.S.S.G. § 1B1.10 cmt. n.1(B); *United States v. Dunn*, 728 F.3d 1151, 1158-59 (9th Cir. 2013). Further, insofar as Green-Bressler challenges the presentence reports, this claim is not cognizable. *See United States v. Dillon*, 560 U.S. 817, 831 (2010) (alleged sentencing errors are “outside the scope of the proceeding authorized by § 3582(c)(2)”).

AFFIRMED.