

FEB 27 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NOT FOR PUBLICATION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.

VINCENT MARTINEZ,

Defendant-Appellant.

No. 16-30032

D.C. No. 1:97-cr-00037-DLC

MEMORANDUM*

Appeal from the United States District Court
for the District of Montana
Dana L. Christensen, Chief Judge, Presiding

Submitted February 14, 2017**

Before: GOODWIN, FARRIS, and FERNANDEZ, Circuit Judges.

Vincent Martinez appeals from the district court's order granting in part 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).

Martinez contends that he is entitled to a further sentence reduction under Amendment 782 to the Sentencing Guidelines. In light of the nature of Martinez's offense and the other 18 U.S.C. § 3553(a) sentencing factors, the district court did not abuse its discretion by reducing Martinez's sentence to the high-end of the amended Guidelines range. *See* U.S.S.G. § 1B1.10 cmt. n.1(B)(i); *United States v. Dunn*, 728 F.3d 1151, 1155 (9th Cir. 2013). Moreover, contrary to Martinez's contention, the district court adequately addressed his arguments for a further reduction and explained its sentencing decision. *See United States v. Trujillo*, 713 F.3d 1003, 1009, 11 (9th Cir. 2013).

AFFIRMED.