

FEB 17 2011

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NOT FOR PUBLICATION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.

FELIX JAUREGUI,

Defendant - Appellant.

No. 09-10475

D.C. No. 2:07-cr-00571-GEB

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Garland E. Burrell, District Judge, Presiding

Submitted February 15, 2011**

Before: CANBY, FERNANDEZ, and M. SMITH, Circuit Judges.

Felix Jauregui appeals from the low-end 168-month Guideline sentence imposed following his guilty-plea conviction for conspiracy to distribute and possession with intent to distribute methamphetamine, in violation of 21 U.S.C.

* 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).

§§ 841(a)(1) and 846. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Jauregui contends that the district court erred in applying the two-level firearm enhancement under U.S.S.G. § 2D1.1(b)(1) because insufficient evidence connected the loaded gun with his possession of methamphetamine. The enhancement was appropriate because the record reflects that Jauregui possessed the firearm during the commission of the drug conspiracy. *See United States v. Lopez-Sandoval*, 146 F.3d 712, 715 (9th Cir. 1998).

AFFIRMED.