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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff - Appellee,</p> <p>v.</p> <p>PEDRO ARAUJO-QUINONEZ,</p> <p>Defendant - Appellant.</p>

No. 10-10073

D.C. No. 4:09-cr-00789-RCC

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Jack Zouhary, District Judge, Presiding

Submitted December 14, 2010**

Before: GOODWIN, WALLACE, and CLIFTON, Circuit Judges.

Pedro Araujo-Quinonez appeals from the 50-month sentence imposed following his guilty-plea conviction for importation of cocaine, in violation of 21 U.S.C. §§ 952(a), 960(a)(1) and (b)(1)(B)(ii), and possession with intent to

* 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).

distribute cocaine, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(A)(ii)(II). We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Araujo-Quinonez contends that the district court procedurally erred by failing to grant a minor-role adjustment. The district court did not err by denying the adjustment. *See United States v. Cantrell*, 433 F.3d 1269, 1282-83 (9th Cir. 2006).

Araujo-Quinonez also contends that the district court erred by not granting him a departure for aberrant behavior. Araujo-Quinonez's argument lacks merit. *See United States v. Dallman*, 533 F.3d 755, 760-62 (9th Cir. 2008).

AFFIRMED.