

NOT FOR PUBLICATION

MAR 05 2012

UNITED STATES COURT OF APPEALS

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

Z.W.C., JUVENILE FEMALE,

Defendant - Appellant.

No. 11-30137

D.C. No. 4:11-cr-00037-SEH

MEMORANDUM*

Appeal from the United States District Court
for the District of Montana
Sam E. Haddon, District Judge, Presiding

Submitted February 21, 2012**

Before: FERNANDEZ, McKEOWN, and BYBEE, Circuit Judges.

Z.W.C., a juvenile female, appeals from an adjudication of juvenile delinquency, in violation of 18 U.S.C. § 5032, following a true plea to an information charging her with witness tampering, in violation of 18 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).

§ 1512(b)(1). We have jurisdiction under 28 U.S.C. § 1291 and we dismiss.

Z.W.C. pleaded true pursuant to a written agreement that included an appeal waiver, but she contends that the waiver is not enforceable because her sentence violates the Eighth Amendment prohibition against cruel and unusual punishment. This contention lacks merit. *See United States v. Meiners*, 485 F.3d 1211, 1212-13 (9th Cir. 2007) (per curiam). We therefore enforce the valid appeal waiver. *See United States v. Bibler*, 495 F.3d 621, 623-24 (9th Cir. 2007).

DISMISSED.