

DEC 12 2014

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NOT FOR PUBLICATION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.

IVAN SANABRIA-ARCHIGA,

Defendant - Appellant.

No. 14-50020

D.C. No. 3:13-cr-01041-BTM

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
Barry T. Moskowitz, Chief Judge, Presiding

Submitted December 9, 2014**

Before: WALLACE, LEAVY, and BYBEE, Circuit Judges.

Ivan Sanabria-Archiga appeals from the district court’s judgment and challenges his guilty-plea conviction and 51-month sentence for attempted reentry of a removed alien, in violation of 8 U.S.C. § 1326. We dismiss.

Because the government has properly objected to the timeliness of Sanabria-

* 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).

Archiga's notice of appeal, which was filed over two months after the entry of judgment, we dismiss this appeal as untimely. *See* Fed. R. App. P. 4(b)(1)(A)(i); *United States v. Sadler*, 480 F.3d 932, 942 (9th Cir. 2007).

DISMISSED.