

OCT 19 2015

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NOT FOR PUBLICATION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.

CHRISTIAN ARMANDO VALLE-
MENDIVIL, a.k.a. Christian Valle-
Mendivil,

Defendant - Appellant.

No. 14-50502

D.C. No. 3:14-cr-01315-LAB

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
Larry A. Burns, District Judge, Presiding

Submitted October 14, 2015**

Before: SILVERMAN, BYBEE, and WATFORD, Circuit Judges.

Christian Armando Valle-Mendivil appeals from the district court's judgment and challenges the 75-month sentence imposed following his guilty-plea conviction for importation of methamphetamine, in violation of 21 U.S.C. §§ 952,

* 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).

960. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Valle-Mendivil contends that the district court erred by declining to award a minor-role adjustment under U.S.S.G. § 3B1.2(b). We review a district court's interpretation of the Guidelines de novo and its determination that a defendant was not a minor participant for clear error. *See United States v. Hurtado*, 760 F.3d 1065, 1068 (9th Cir. 2014), *cert. denied*, 135 S. Ct. 1467 (2015). The record reflects that the court properly applied the Guidelines and our precedent, considering the totality of the circumstances, as well as Valle-Mendivil's understanding of the scheme and his role in the smuggling operation. *See id.* at 1068-69. The district court properly considered the quantity of drugs, the compensation involved, and the fact that Valle-Mendivil allowed the vehicle to be registered in his name. Because "[a]ny of these facts alone may justify denial of a minor role," *id.*, the district court did not clearly err in denying the adjustment.

AFFIRMED.