

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 15 2018

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 17-50133

Plaintiff-Appellee,

D.C. No. 3:11-cr-00741-LAB

v.

MEMORANDUM*

DANIEL NAVARRO-CHAVEZ,

Defendant-Appellant.

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

Submitted June 12, 2018**

Before: RAWLINSON, CLIFTON, and NGUYEN, Circuit Judges.

Daniel Navarro-Chavez appeals from the district court's judgment granting, in part, his motion under 18 U.S.C. § 3582(c)(2) to reduce his sentence on a drug-related conviction. We agree with the government that Navarro-Chavez failed to file his notice of appeal within the requisite time limit. *See* Fed. R. App. P. 4(b).

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Therefore, we dismiss the appeal as untimely. *See United States v. Sadler*, 480 F.3d 932, 942 (9th Cir. 2007).

DISMISSED.