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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

JUANA HARO,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.


CASE NO. 17cv936-LAB (BLM)

**ORDER DENYING MOTION UNDER
28 U.S.C. § 2255**

Last summer, Juana Haro pled guilty to driving a car loaded with 60 pounds of methamphetamine into the United States. The maximum sentence was 240 months in prison—the Court sentenced Haro to 71 months. Haro asks the Court to shave 14 months off her sentence based on a minor role reduction. But the Court already rejected this argument: importing 60 pounds of methamphetamine doesn't make Haro substantially less culpable or entitle her to a "minor role adjustment under section 3B1.2." *United States v. Ng*, 202 F.3d 280 (9th Cir. 1999) (rejecting minor role based on *attempted* importation of methamphetamine). And since the sentence wasn't greater than 71 months, Haro agreed to waive any right "to collaterally attack the sentence" anyway. *United States v. Abarca*, 985 F.2d 1012, 1014 (9th Cir. 1993).² The motion is **DENIED**.

IT IS SO ORDERED.

Dated: July 19, 2017



HONORABLE LARRY ALAN BURNS
United States District Judge

² Dkt. 28 at 4–6 and Dkt. 18 at 11.