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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff - Appellee,</p> <p>v.</p> <p>CELESTINO ANCELMO-SANTOS,</p> <p>Defendant - Appellant.</p>
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No. 07-10451

D.C. No. CR-07-00455-MHM

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Mary H. Murguia, District Judge, Presiding

Submitted February 18, 2009**

Before: BEEZER, FERNANDEZ, and W. FLETCHER, Circuit Judges.

Celestino Ancelmo-Santos appeals from the 27-month sentence imposed following his guilty-plea conviction for illegal reentry after deportation, in

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

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

violation of 8 U.S.C. § 1326(a). We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Ancelmo-Santos contends that the appeal waiver in his plea agreement does not preclude this appeal because: (1) it does not unambiguously prevent him from challenging the manner in which his sentence was imposed; and (2) his sentence is illegal. These contentions fail. *See Almendarez-Torres v. United States*, 523 U.S. 224 (1998); *United States v. Schuman*, 127 F.3d 815, 817 (9th Cir. 1997). We therefore enforce the valid appeal waiver. *See United States v. Cardenas*, 405 F.3d 1046, 1048 (9th Cir. 2005).

AFFIRMED.