

JUN 30 2009

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ROBERT SOLIS,

Petitioner - Appellant,

v.

MIKE KNOWLES,

Respondent - Appellee.

No. 07-16323

D.C. No. CV-02-01034-JW

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
James Ware, District Judge, Presiding

Submitted June 16, 2009**

Before: PAEZ, TALLMAN, and N.R. SMITH, Circuit Judges.

California state prisoner Robert Solis appeals from the district court's judgment denying his 28 U.S.C. § 2254 petition. We have jurisdiction pursuant to

* 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).

28 U.S.C. § 2253. We review de novo, *see Chaker v. Crogan*, 428 F.3d 1215, 1221 (9th Cir. 2005), and we affirm.

Solis contends that his charging instrument was constitutionally defective because it failed to provide adequate notice of the charge against him. We agree with the district court that this contention lacks merit. *See Hamling v. United States*, 418 U.S. 87, 117-19 (1974); *Miller v. Stagner*, 757 F.2d 988, 994 (9th Cir. 1985); *see also United States v. Hester*, 719 F.2d 1041, 1043 (9th Cir. 1983).

AFFIRMED.