

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

JUL 14 2009

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ALAN OSZUEL GONZALEZ,

Defendant - Appellant.

No. 08-50404

D.C. No. 3:07-cr-02977-JLS-1

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
Janis L. Sammartino, District Judge, Presiding

Submitted July 8, 2009**
Pasadena, California

Before: KOZINSKI, Chief Judge, FERNANDEZ and N.R. SMITH, Circuit Judges.

Appellant knowingly, voluntarily, and intelligently waived his *Miranda* rights. *See Cox v. Del Papa*, 542 F.3d 669, 675 (9th Cir. 2008), *cert. denied*, *Cox*

* 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)*.

v. Mastro, 129 S. Ct. 1403 (2009). Accordingly, the district court did not err in admitting his confession.

AFFIRMED.