

JUL 22 2009

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

TREVOR KIRCHMEIER, a/k/a TREVOR
GALEN KIRCHMEIER,

Defendant - Appellant.

No. 07-50157

D.C. No. CR-05-01140-RSWL

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Ronald S.W. Lew, District Judge, Presiding

Submitted July 14, 2009**

Before: SCHROEDER, THOMAS, and WARDLAW, Circuit Judges.

Trevor Kirchmeier appeals from the 135-month sentence imposed following his guilty-plea conviction for conspiracy to distribute and to possess with intent 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).

distribute methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A), and 846. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Kirchmeier contends that the district court erred by failing to grant him a minor role adjustment. The district court did not err because the record demonstrates that Kirchmeier brokered some of the drug deals. *See United States v. Awad*, 371 F.3d 583, 591 (9th Cir. 2004).

Kirchmeier also contends that the district court erred by giving the United States Sentencing Guidelines too much weight, and by failing to consider his cooperation with the government, and that his sentence is unreasonable in light of his cooperation with the government, and due to an unwarranted sentencing disparity. Kirchmeier's sentence is procedurally sound and substantively reasonable. *See United States v. Stoterau*, 524 F.3d 988, 999-1002 (9th Cir. 2008).

AFFIRMED.