

OCT 05 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

TERESA DE LEON REYES,

Defendant - Appellant.

No. 08-50029

D.C. No. CR-06-00007-VAP

MEMORANDUM\*

Appeal from the United States District Court  
for the Central District of California  
Virginia A. Phillips, District Judge, Presiding

Submitted September 14, 2009\*\*

Before: SILVERMAN, RAWLINSON, and CLIFTON, Circuit Judges.

Teresa De Leon Reyes appeals from the 156-month sentence imposed following her guilty-plea conviction for conspiracy to possess with intent to distribute heroin, in violation of 21 U.S.C. § 846. We have jurisdiction pursuant to

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\* 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. § 1291 and we affirm.

Reyes contends that the district court erred by denying her request for a minor role adjustment, pursuant to U.S.S.G. § 3B1.2. We are precluded from reaching the merits of this claim by the valid appeal waiver. *See United States v. Bibler*, 495 F.3d 621, 624 (9th Cir. 2007); *see also United States v. Aguilar-Muniz*, 156 F.3d 974, 977 (9th Cir. 1998).

**AFFIRMED.**