FILED

OCT 13 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NOT FOR PUBLICATION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. LAWRENCE DUANE TAYLOR, Defendant - Appellant.	No. 09-10107 D.C. No. 2:95-CR-00265-LDG-NA-1 MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Lloyd D. George, District Judge, Presiding

Submitted September 14, 2009**

Before: SILVERMAN, RAWLINSON and CLIFTON, Circuit Judges.

Lawrence Duane Taylor appeals from the district court's denial of his motion for a sentence reduction pursuant 18 U.S.C. § 3582(c). We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

---

* 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).

MVD/Inventory

Taylor contends the district court had authority to lower his sentence pursuant to 18 U.S.C. § 3582(c) because his sentence was based on a range that has since been lowered by Amendment 706 to the United States Sentencing Guidelines. This contention is foreclosed by *United States v. Paulk*, 569 F.3d 1094 (9th Cir. 2009), because Taylor received a mandatory minimum sentence under 21 U.S.C. § 841(b)(1)(A)(iii). *See also United States v. Bride*, No. 08-30266, 2009 WL 2857205, at *1 (9th Cir. Sept. 8, 2009) (holding district court lacked authority to reduce sentence that was not "based on a sentencing range that has subsequently been lowered by the Sentencing Commission).

AFFIRMED.