

DEC 14 2009

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>UNITED STATES OF AMERICA,</p> <p style="text-align: center;">Plaintiff - Appellee,</p> <p style="text-align: center;">v.</p> <p>DELORES ENOS,</p> <p style="text-align: center;">Defendant - Appellant.</p>
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No. 09-10024

D.C. No. 2:07-cr-01222-NVW

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Neil V. Wake, District Judge, Presiding

Submitted November 17, 2009**

Before: ALARCÓN, TROTT, and TASHIMA, Circuit Judges.

Delores Enos appeals from the district court’s order denying her motion to modify a condition of probation that prohibits her from having contact with

* 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).

children under the age of 13 without prior permission from the court. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Enos contends that the district court erred by declining to modify the condition of probation because the condition is different from that to which the parties stipulated in her Rule 11(c)(1)(C) plea agreement. The district court did not err in denying Enos' motion to modify the conditions of her probation. *See* 18 U.S.C. § 3563(c).

AFFIRMED.