

JAN 26 2010

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NOT FOR PUBLICATION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.

LUIS ANTONIO CAMEY-ALVARADO,
aka Camey Rosario, Santos Balvino, Juan
Lopez,

Defendant - Appellant.

No. 07-50359

D.C. No. CR-05-01136-RSWL

MEMORANDUM*

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

Submitted January 11, 2010**

Before: BEEZER, TROTT, and BYBEE, Circuit Judges.

Luis Antonio Camey-Alvarado appeals from the 120-month sentence imposed following his guilty-plea conviction for conspiracy to possess with intent

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

to distribute a controlled substance, in violation of 21 U.S.C. §§ 841(a)(1), 846.

We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Camey-Alvarado contends that the district court erred when it determined that he was not eligible for safety-valve relief under 18 U.S.C. § 3553(f). We are precluded from reaching the merits of this claim by the valid appeal waiver. *See United States v. Nunez*, 223 F.3d 956, 958-59 (9th Cir. 2000); *see also United States v. Jacobo Castillo*, 496 F.3d 947, 957 (9th Cir. 2007) (en banc).

AFFIRMED.
