

MAR 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NOT FOR PUBLICATION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.

RICARDO SANCHEZ-LOPEZ,

Defendant - Appellant.

No. 09-30133

D.C. No. 1:07-CR-00282-BLW

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Idaho  
B. Lynn Winmill, Chief District Judge, Presiding

Submitted March 16, 2010\*\*

Before: SCHROEDER, PREGERSON, and RAWLINSON, Circuit Judges.

Ricardo Sanchez-Lopez appeals from the district court's denial of his motion to withdraw his guilty plea. We have jurisdiction pursuant to 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 concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Sanchez-Lopez contends that the district court erred when it refused to grant his motion to withdraw his guilty plea. The district court did not abuse its discretion when it concluded that Sanchez-Lopez's belief that a witness would not cooperate with the government was not a fair and just reason for withdrawing his guilty plea. *See* Fed. R. Crim. P. 11(d)(2)(B); *see also United States v. Vasquez-Velasco*, 471 F.2d 294, 294-95 (9th Cir. 1973) (per curiam). Further, the record supports the district court's conclusion that there was no indication that the witness would testify on Sanchez-Lopez's behalf or exonerate him. Finally, Sanchez-Lopez admitted on more than one occasion that he had procured and delivered methamphetamine and accepted firearms and payment.

**AFFIRMED.**