

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

AUG 16 2010

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JESUS ORTEGA-CASTELLANOS,

Defendant - Appellant.

No. 09-50572

D.C. No. 3:08-cr-04000-JAH-1

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
John A. Houston, District Judge, Presiding

Argued and Submitted August 6, 2010
Pasadena, California

Before: **KOZINSKI**, Chief Judge, **WARDLAW**, Circuit Judge and
SINGLETON, District Judge.**

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

** The Honorable James K. Singleton, Senior United States District Judge for the District of Alaska, sitting by designation.

The agent's background, training and explanation of the sources he relied on were sufficient to qualify him as an expert on the marijuana's value. Cf. United States v. Mendoza-Paz, 286 F.3d 1104, 1112–13 (9th Cir. 2002). The government didn't introduce the vehicle transfer form to prove the truth of its contents, so the document wasn't hearsay. See Fed. R. Evid. 801(c). And Ortega-Castellanos still hasn't shown that he would have found any additional information helpful to his defense had he been granted a continuance. See United States v. Mejia, 69 F.3d 309, 314–15 (9th Cir. 1995). Nor is there cumulative error requiring reversal.

The district court adequately addressed the arguments Ortega-Castellanos made for a lighter sentence; the sentence imposed was substantively and procedurally sound.

AFFIRMED.