

SEP 03 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NOT FOR PUBLICATION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.

RAMIRO TONY FLORES,

Defendant - Appellant.

No. 09-30274

D.C. No. 1:08-CR-00065-EJL

MEMORANDUM*

Appeal from the United States District Court
for the District of Idaho
Edward J. Lodge, District Judge, Presiding

Submitted August 23, 2010**

Before: LEAVY, HAWKINS, and THOMAS, Circuit Judges.

Ramiro Tony Flores appeals from the 150-month sentence imposed following his guilty-plea conviction for conspiracy to distribute methamphetamine and conspiracy to launder money, in violation of 21 U.S.C. §§ 841(a)(1) and 846,

* 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).

and 18 U.S.C. §§ 1956, 1956(h), and 1957. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Flores contends that the district court violated Federal Rule of Criminal Procedure 32(i)(3)(B) by applying a four-level leadership role enhancement, pursuant to U.S.S.G. § 3B1.1(a), without resolving disputed portions of the presentence investigation report. The district court properly overruled Flores' objection to the leadership role enhancement as he did not raise any specific factual disputes that required resolution by the district court. *See United States v. Stoterau*, 524 F.3d 988, 1011-12 (9th Cir. 2008); *cf. United States v. Carter*, 219 F.3d 863, 867-68 (9th Cir. 2000).

AFFIRMED.