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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NOT FOR PUBLICATION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>v.</p> <p>RENE LUNA-MARADIAGA, aka Rene Antonio Luna-Maradiaga,</p> <p style="text-align: center;">Defendant - Appellant.</p>
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Nos. 09-10452
09-10453

D.C. Nos. 4:08-cr-01066-DCB
4:08-cr-50090-DCB

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
David C. Bury, District Judge, Presiding

Submitted February 15, 2011**

Before: CANBY, FERNANDEZ, and M. SMITH, Circuit Judges.

In these consolidated appeals, Rene Luna-Maradiaga appeals from the 92-month sentence imposed following his guilty-plea conviction for illegal re-entry after deportation, in violation of 8 U.S.C. § 1326, and from the 21-month sentence

* 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).

imposed upon revocation of supervised release. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Luna-Maradiaga's sole argument on appeal is that the district court abused its discretion by denying his motion for a continuance of the sentencing and disposition hearing. The district court did not abuse its discretion, as it granted numerous other continuance requests and Luna-Maradiaga fails to demonstrate any prejudice arising from the denial. *See Ungar v. Sarafite*, 376 U.S. 575, 589 (1964); *United States v. Flynt*, 756 F.2d 1352, 1358 (9th Cir. 1985), amended by 764 F.2d 675 (9th Cir. 1985); *see also United States v. Wills*, 88 F.3d 704, 711 (9th Cir. 1996).

AFFIRMED.