

OCT 4 2011

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NOT FOR PUBLICATION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.

GILBERTO GONZALES, a.k.a. Angel
Chaides-Arronjo, a.k.a. John Doe, a.k.a.
Gilberto Gonzalez, a.k.a. Victor Manuel
Reyes, a.k.a. Toro,

Defendant - Appellant.

No. 10-30226

D.C. No. 3:08-cr-00086-JWS

MEMORANDUM*

Appeal from the United States District Court
for the District of Alaska
John W. Sedwick, District Judge, Presiding

Submitted September 27, 2011**

Before: HAWKINS, SILVERMAN, and W. FLETCHER, Circuit Judges.

Gilberto Gonzales appeals from the 240-month sentence imposed following his guilty-plea conviction for conspiracy to distribute cocaine and

* 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).

methamphetamine, in violation of 21 U.S.C. §§ 846 and 841(b)(1)(A), and money laundering, in violation of 18 U.S.C. § 1956(a)(3)(A) and (B). We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Gonzales concedes that he waived his right to appeal his sentence, but contends that the waiver does not apply because his sentence violates the law. Because the sentence imposed by the district court neither exceeds the permissible statutory penalty for the crime, nor violates the Constitution, Gonzales's appeal is barred by a valid appeal waiver. *See United States v. Bibler*, 495 F.3d 621, 624 (9th Cir. 2007); *United States v. Jordan*, 256 F.3d 922, 928 (9th Cir. 2001).

DISMISSED.