

OCT 27 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NOT FOR PUBLICATION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.

EDWARD LOPEZ, Jr.,

Defendant - Appellant.

No. 11-50033

D.C. No. 3:90-cr-01089-IEG

MEMORANDUM\*

Appeal from the United States District Court  
for the Southern District of California  
Irma E. Gonzalez, Chief Judge, Presiding

Submitted October 25, 2011\*\*

Before: TROTT, GOULD, and RAWLINSON, Circuit Judges.

Edward Lopez, Jr., appeals from the 12-month sentence imposed upon revocation of supervised release. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

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\* 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. Appellant. P. 34(a)(2).

Lopez contends that the district court procedurally erred by failing to expressly calculate the Guidelines range. Lopez has not shown that the district court's failure to expressly calculate the Guidelines range affected his substantial rights, particularly where the Violation Sentencing Summary correctly calculated the Guidelines range. *See United States v. Dallman*, 533 F.3d 755, 761 (9th Cir. 2008).

**AFFIRMED.**