

APR 18 2012

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NOT FOR PUBLICATION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.

JAMIE TEICHMAN,

Defendant - Appellant.

No. 11-10255

D.C. No. 2:10-cr-00313-KJD

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Kent J. Dawson, District Judge, Presiding

Submitted February 21, 2012**

Before: FERNANDEZ, McKEOWN, and BYBEE, Circuit Judges.

Jamie Teichman appeals from his conviction and from the 33-month sentence imposed following his guilty plea to conspiracy to commit mail, wire, and bank fraud, in violation of 18 U.S.C. § 1349. We have jurisdiction under 28

* 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).

U.S.C. § 1291, and we affirm in part and dismiss in part.

Teichman contends that the government breached the plea agreement by acting in bad faith when it opposed his motion to continue sentencing and made false representations at the sentencing hearing. This contention is belied by the record.

Teichman also contends the district court abused its discretion by denying his motion to continue sentencing. The valid and enforceable appeal waiver set forth in the plea agreement precludes our review of this issue. *See United States v. Bibler*, 495 F.3d 621, 623-24 (9th Cir. 2007).

AFFIRMED in part; DISMISSED in part.