

MAR 21 2013

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff - Appellee,</p> <p>v.</p> <p>MATTHEW RIDGE,</p> <p>Defendant - Appellant.</p>
-----------------------------------------------------------------------------------------------------------------------------

No. 12-10049

D.C. No. 2:09-cr-00455-LDG

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Nevada  
Lloyd D. George, District Judge, Presiding

Submitted March 12, 2013\*\*

Before: PREGERSON, REINHARDT, and W. FLETCHER, Circuit Judges.

Matthew Ridge appeals from the district court’s judgment and challenges the 151-month sentence imposed following his guilty-plea conviction for distribution of cocaine, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C). We dismiss.

---

\* 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).

Ridge argues that the district court improperly determined that he was a career offender under the Guidelines. The government contends that Ridge's appeal is barred by a valid appeal waiver. We review de novo whether Ridge has waived his right to appeal. *See United States v. Watson*, 582 F.3d 974, 981 (9th Cir. 2009). Ridge contends that the appeal waiver should not be enforced because at his sentencing hearing the district court advised him that he had waived his right to appeal, but that he retained limited appellate rights, including the right to appeal an illegal sentence. The district court's qualified advisement did not invalidate the appeal waiver. *See id.* at 987-88.

**DISMISSED.**