

JUN 21 2013

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NOT FOR PUBLICATION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.

JOSE ENRIQUE SANTIAGO-RAMIREZ,

Defendant - Appellant.

No. 12-30178

D.C. No. 1:11-cr-00007-JDS

MEMORANDUM*

Appeal from the United States District Court
for the District of Montana
Jack D. Shanstrom, District Judge, Presiding

Submitted June 18, 2013**

Before: TALLMAN, M. SMITH, and HURWITZ, Circuit Judges.

Jose Enrique Santiago-Ramirez appeals from the district court's judgment and challenges the 120-month sentence imposed following his guilty-plea conviction for conspiracy to possess with intent to distribute methamphetamine, in

* 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).

violation of 21 U.S.C. § 846. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Santiago-Ramirez argues that the district court erred procedurally by finding him ineligible for safety valve relief. We review for clear error, *see United States v. Mejia-Pimental*, 477 F.3d 1100, 1103 (9th Cir. 2007), and find none. The record supports an inference that Santiago failed to provide the government with all of the information that he had concerning the offense. *See* 18 U.S.C. § 3553(f)(5); U.S.S.G. § 5C1.2(a)(5); *United States v. Ajugwo*, 82 F.3d 925, 929 (9th Cir. 1996) (“In determining whether [the defendant] had been truthful and completely forthcoming with information concerning the offense, the district court could consider information learned from other sources which indicated that [the defendant] had been less than forthcoming.”).

AFFIRMED.