

DEC 09 2013

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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NOT FOR PUBLICATION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 SEDANO-CHAVEZ,

Defendant - Appellant.

No. 12-50572

D.C. No. 8:12-cr-00028-JVS

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
James V. Selna, District Judge, Presiding

Submitted November 19, 2013**

Before: CANBY, TROTT, and THOMAS, Circuit Judges.

Jose Sedano-Chavez a appeals from the district court’s judgment and challenges his guilty-plea conviction for aiding, assisting, and conspiring to permit certain aliens to enter the United States, in violation of 8 U.S.C. § 1327. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

* 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).

Sedano-Chavez contends that his guilty plea was not knowing and voluntary because his background and lack of education makes it unlikely that he understood the proceedings and because he did not believe he had committed a crime. We review de novo whether a defendant's guilty plea was voluntary. *See United States v. Gaither*, 245 F.3d 1064, 1068 (9th Cir. 2001). The record reflects that Sedano-Chavez understood the proceedings and the elements of the crime with which he was charged, and that he admitted he knew he was assisting an alien, who was inadmissible, to enter the United States. The district court properly concluded that Sedano-Chavez's plea was knowingly and voluntarily made.

AFFIRMED.