

SEP 18 2014

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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NOT FOR PUBLICATION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 - Appellant,

v.

TORRIO SANDERS,

Defendant - Appellee.

No. 13-10434

D.C. No. 4:12-cr-00042-CW-1

MEMORANDUM\*

Appeal from the United States District Court  
for the Northern District of California  
Claudia Wilken, Chief District Judge, Presiding

Argued and Submitted September 12, 2014  
San Francisco, California

Before: SCHROEDER and W. FLETCHER, Circuit Judges, and CURIEL, District  
Judge.\*\*

The government appeals from the dismissal of an indictment charging  
Appellee Torrio Sanders as a felon in possession of a firearm in violation of 18

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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 Honorable Gonzalo P. Curiel, United States District Judge for the  
Southern District of California, sitting by designation.

U.S.C. § 922(g)(1). After an extended colloquy with counsel that traced the history of the matter, the district court found there had been a constitutional violation. Under the appropriate legal standard, the court made the requisite findings. There was no clear error.

The appellee's motion to expand record and/or request for judicial notice is denied as moot.

**AFFIRMED.**