

MAR 17 2015

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NOT FOR PUBLICATION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.

JOHN J. ROMERO, a.k.a. John Romero,
Jr.,

Defendant - Appellant.

No. 13-50196

D.C. No. 2:09-cr-00260-R

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Manuel L. Real, District Judge, Presiding

Submitted March 10, 2015**

Before: FARRIS, WARDLAW, and PAEZ, Circuit Judges.

John J. Romero appeals pro se from the district court's order denying his motion for a determination that 29 U.S.C. § 504(a) is inapplicable to him. 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).

Romero contends that he is not subject to section 504(a)'s 13-year restriction on serving as an officer for a labor organization because the statute is penal, rather than remedial. Romero does not explain why this distinction is important, and, in any event, he is incorrect. *See De Veau v. Braisted*, 363 U.S. 144, 159-60 (1960).

Romero also asserts numerous challenges to the sentence imposed for his underlying conviction for making false statements to the United States Department of Labor, in violation of 18 U.S.C. § 1001(a)(2). These arguments are not properly raised in this appeal, and are moot in view of Romero's completion of his sentence and supervised release term. *See United States v. Palomba*, 182 F.3d 1121, 1123 (9th Cir. 1999).

AFFIRMED.