

JAN 28 2008

CATHY A. CATTERSON, 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NOT FOR PUBLICATION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.

VICTORINO SANDOVAL-
SEPULVEDA,

Defendant - Appellant.

No. 07-30143

D.C. No. CR-04-00030-DWM

MEMORANDUM*

Appeal from the United States District Court
for the District of Montana
Donald W. Molloy, District Judge, Presiding

Submitted January 14, 2008**

Before: HALL, O'SCANNLAIN, and PAEZ, Circuit Judges.

Victorino Sandoval-Sepulveda appeals from the 6-month sentence imposed following revocation of supervised release. We have jurisdiction under 28 U.S.C.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

§ 1291. We review for reasonableness, *United States v. Miqbel*, 444 F.3d 1173, 1176 & n.5 (9th Cir. 2006), and we affirm.

Sandoval-Sepulveda contends that the district court's application of U.S.S.G § 7B1.3(f) resulted in an unreasonable sentence. We disagree, and conclude that the district court neither abused its discretion in considering the Chapter 7 policy statement, nor imposed an unreasonable sentence.

See Miqbel, 444 F.3d at 1176 & n.5.

AFFIRMED.