

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NOT FOR PUBLICATION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.

JORGE ANTONIO BURRUEL-  
BOJORQUEZ, aka Jorge Ramiro Miranda-  
Salazar,

Defendant - Appellant.

No. 07-10114

D.C. No. CR-05-01375-JMR

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Arizona  
John M. Roll, District Judge, Presiding

Submitted January 14, 2008\*\*

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

Jorge Antonio Burruel-Bojorquez appeals from the 120-month sentence imposed following his guilty-plea conviction for conspiracy to possess with intent

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

to distribute marijuana, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A)(vii), and 846, and possession with intent to distribute marijuana, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A)(vii). We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

BurrueI-Bojorquez contends that the district court erred by denying him safety valve relief. The district court denied relief because BurrueI-Bojorquez failed to truthfully provide the government all the information and evidence he had concerning the offense by the time of the sentencing hearing. *See* 18 U.S.C. § 3553(f)(5). We conclude that the district court did not clearly err in finding that BurrueI-Bojorquez failed to meet this criterion. *See United States v. Mejia-Pimental*, 477 F.3d 1100, 1105 (9th Cir. 2007) (explaining good faith effort under § 3553(f)(5) requires a defendant to provide the government with truthful and complete information by the time of the sentencing hearing); *see also United States v. Ajugwo*, 82 F.3d 925, 929 (9th Cir. 1996) (affirming denial of safety valve reduction where district court found that defendant had not been as forthcoming as she could have been).

**AFFIRMED.**