

AUG 07 2008

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NOT FOR PUBLICATION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.

GEORGE MICHAEL RUELAS,

Defendant - Appellant.

No. 06-50606

D.C. No. CR-99-01363-CAS-1

MEMORANDUM\*

Appeal from the United States District Court  
for the Central District of California  
Christina A. Snyder, District Judge, Presiding

Submitted July 22, 2008\*\*

Before: B. FLETCHER, THOMAS, and WARDLAW, Circuit Judges.

George Michael Ruelas appeals from the district court's judgment upon limited remand pursuant to *United States v. Ameline*, 409 F.3d 1073 (9th Cir. 2005)

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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).

(en banc). We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Ruelas raises the same challenges to his conviction that another panel previously decided in Nos. 02-50600, 02-50660, *United States v. Ruelas*, 98 Fed. Appx. 615 (9th Cir. May 5, 2004), *vacated*, 543 U.S. 1103 (2005) (remanding for further consideration in light of *United States v. Booker*, 543 U.S. 220 (2005)). These issues are beyond the scope of our limited remand. *See United States v. Ruelas*, 412 F.3d 1051 (9th Cir. Jun. 16, 2005) (affirming the conviction and granting a limited remand of the sentence). Ruelas's conviction is therefore not open for review. *See United States v. Thrasher*, 483 F.3d 977, 982-83 (9th Cir. 2007) (holding that, pursuant to the rule of mandate, a limited remand for a single purpose precluded consideration of other issues). We deny Ruelas's request to reissue the prior memorandum disposition.

**AFFIRMED.**