

United States Court of Appeals For the First Circuit

No. 15-2165

UNITED STATES,

Appellee,

v.

ANTONIO MERCEDES-RIJO,

Defendant, Appellant.

Before

Howard, Chief Judge,
Lynch and Thompson, Circuit Judges.

JUDGMENT

Entered: June 26, 2018

Defendant appeals from his drug convictions and sentence. After carefully considering all of the briefs and the record, we affirm the district court's judgment. Specifically, we hold that the district court did not err in denying defendant a minor-role sentencing reduction; that the district court considered the proper drug quantity; that the 210-month sentence was not substantively unreasonable; and that defendant's admissions in the district court doom his challenge to the constitutionality and applicability of the Maritime Drug Law Enforcement Act, 46 U.S.C. § 70503(a)(1).

Defendant's motion for the appointment of new counsel on appeal is denied.

The judgment of the district court is summarily affirmed. See 1st Cir. R. 27.0(c).

By the Court:

/s/ Margaret Carter, Clerk

United States Court of Appeals For the First Circuit

No. 15-2165

UNITED STATES,

Appellee,

v.

ANTONIO MERCEDES-RIJO,

Defendant, Appellant.

Before

Howard, Chief Judge,
Torruella, Lynch, Thompson,
Kayatta and Barron, Circuit Judges.

ORDER OF COURT

Entered: August 2, 2018

Pursuant to First Circuit Internal Operating Procedure X(C), the petition for rehearing en banc has also been treated as a petition for rehearing before the original panel. The petition for rehearing having been denied by the panel of judges who decided the case, and the petition for rehearing en banc having been submitted to the active judges of this court and a majority of the judges not having voted that the case be heard en banc, it is ordered that the petition for rehearing and petition for rehearing en banc be denied.

By the Court:

/s/ Margaret Carter, Clerk

cc:

Thomas J. Trebilcock-Horan, Antonio Mercedes-Rijo, Mariana E. Bauza Almonte

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from this filing is
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Clerk's Office.**