

United States Court of Appeals For the First Circuit

No. 17-1129

UNITED STATES,

Appellee,

v.

SAUL SANCHEZ ROLON, a/k/a Fino,

Defendant - Appellant.

Before

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

JUDGMENT

Entered: March 1, 2018

Defendant-appellant Saul Sanchez Rolon appeals his below-guideline 108-month sentence for drug-conspiracy offenses, alleging error under United States v. Alleyne, 133 S. Ct. 2151 (2013), and in the calculation of his criminal history category ("CHC"). The government moves for summary disposition.

We have carefully reviewed the parties' submissions and relevant portions of the record. We conclude that the appeal does not present a "substantial question" and that affirmance is in order. 1st Cir. R. 27.0(c). Accordingly, we grant the government's motion for summary disposition. See United States v. Ramirez-Negron, 751 F.3d 42, 49 (1st Cir. 2014) ("No Alleyne error occurs when a defendant's sentence is based entirely on Guidelines considerations without changing the applicable mandatory minimum."); United States v. Jones, 778 F.3d 375, 386 (1st Cir. 2015) (criminal history points general principles); see also United States v. Matos, 611 F.3d 31, 40 (1st Cir. 2010) (applying plain error review to claim that district court erred in calculating criminal history points).

Affirmed. See 1st Cir. R. 27.0(c).

By the Court:

/s/ Margaret Carter, Clerk

cc:

Dina Michael Chaitowitz
Theodore Babcock Heinrich
Julia Pamela Heit
Saul Sanchez Rolon