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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MIGUEL ROMO-ROMO,

Defendant - Appellant.

No. 06-50316

D.C. No. CR-05-02178-DMS

MEMORANDUM\*

Appeal from the United States District Court  
for the Southern District of California  
Dana M. Sabraw, District Judge, Presiding

Submitted June 16, 2009\*\*

Before: PAEZ, TALLMAN, and N.R. SMITH, Circuit Judges.

Miguel Romo-Romo appeals from the 70-month sentence imposed following his guilty-plea conviction for illegal reentry after deportation, in

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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).

violation of 8 U.S.C. § 1326(a). We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Romo-Romo contends that his sentence is unreasonable because the district court's failure to consider the sentencing factors listed in 18 U.S.C. § 3553(a) and his mitigating factors resulted in a mandatory application of the United States Sentencing Guidelines. We conclude that Romo-Romo's sentence is procedurally sound and substantively reasonable. *See United States v. Stoterau*, 524 F.3d 988, 999-1002 (9th Cir. 2008).

**AFFIRMED.**