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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>UNITED STATES OF AMERICA,</p> <p style="text-align: center;">Plaintiff - Appellee,</p> <p style="text-align: center;">v.</p> <p>MANUEL EDUARDO ALONSO- OCHOA,</p> <p style="text-align: center;">Defendant - Appellant.</p>
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No. 09-10402

D.C. No. 2:06-CR-00187-RCJ

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Robert Clive Jones, District Judge, Presiding

Submitted May 25, 2010**

Before: CANBY, THOMAS, and W. FLETCHER, Circuit Judges.

Manuel Eduardo Alonso-Ochoa appeals from the 24-month sentence imposed following the revocation of his supervised release. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

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

Alonso-Ochoa contends that the district court erred by basing its sentencing decision on impermissible factors. The record shows that the district court did not rely primarily on factors that were inappropriate for consideration. *See United States v. Miqbel*, 444 F.3d 1173, 1182 (9th Cir. 2006); *see also United States v. Simtob*, 485 F.3d 1058, 1062-63 (9th Cir. 2007). Moreover, in light of the totality of the circumstances, the district court's sentence is substantively reasonable. *See United States v. Carty*, 520 F.3d 984, 993 (9th Cir. 2008) (en banc).

AFFIRMED.