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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NOT FOR PUBLICATION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>Plaintiff - Appellee,</p> <p>v.</p> <p>CARLOS GONZALEZ-SALMERON,</p> <p>Defendant - Appellant.</p>
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No. 10-10040

D.C. No. 4:08-cr-01085-DCB

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
David C. Bury, District Judge, Presiding

Submitted December 14, 2010**

Before: GOODWIN, WALLACE, and CLIFTON, Circuit Judges.

Carlos Gonzalez-Salmeron appeals from the 34-month sentence imposed following his jury-trial conviction for re-entry after deportation, in violation of 8 U.S.C. § 1326. 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).

Gonzalez-Salmeron contends that the district court procedurally erred by not adequately considering all the 18 U.S.C. § 3553(a) sentencing factors. The district court did not procedurally err. *See United States v. Carty*, 520 F.3d 984, 993 (9th Cir. 2008) (en banc). Gonzalez-Salmeron also contends that the sentence was substantively unreasonable. In light of the totality of the circumstances, the district court's sentence within the Guidelines range is substantively reasonable. *See id.*

AFFIRMED.