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MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

LIZANDRO GARCIA-BERMUDEZ,

Defendant - Appellant.

No. 10-10158

D.C. No. 4:09-cr-00862-DCB

MEMORANDUM*

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

Submitted February 15, 2011**

Before: CANBY, FERNANDEZ, and M. SMITH, Circuit Judges.

Lizandro Garcia-Bermudez appeals from the 63-month sentence imposed following his 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).

Garcia-Bermudez contends that the district court procedurally erred by failing to discuss all of the 18 U.S.C. § 3553(a) factors and imposed a substantively unreasonable sentence. The district court did not procedurally err by failing to discuss each of the section 3553(a) factors. *See United States v. Carty*, 520 F.3d 984, 992 (9th Cir. 2008) (en banc) (holding that a sentencing court “need not tick off each of the § 3553(a) factors”). Furthermore, given the seriousness and age of Garcia-Bermudez’s prior offense, and in light of the totality of the circumstances, we conclude that the sentence is substantively reasonable. *See id.* at 993.

AFFIRMED.