

OCT 27 2011

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NOT FOR PUBLICATION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.

LEANNE VERONICA CHAVARRIN,  
a.k.a. Leanne Veronica Chavarin, a.k.a.  
Leanne Veronica Chavrin,

Defendant - Appellant.

No. 11-10056

D.C. No. 4:10-cr-01764-DCB

MEMORANDUM\*

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

Submitted October 25, 2011\*\*

Before: TROTT, GOULD, and RAWLINSON, Circuit Judges.

Leanne Veronica Chavarrin appeals from the 10-month sentence imposed following her guilty-plea conviction for conspiracy to transport illegal aliens, in violation of 8 U.S.C. § 1324(a)(1)(A)(v)(I) and (a)(1)(B)(i); and attempt to bring 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 concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

an illegal alien, in violation of 8 U.S.C. § 1324(a)(2)(A). We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Chavarrin contends that the district court procedurally erred by imposing his sentence based on a factor that had already been contemplated in calculating the advisory Guidelines range. The record reflects that the district court carefully considered the 18 U.S.C. § 3553(a) sentencing factors before determining that a sentence at the high end of the Guidelines range was appropriate under the circumstances. The district court did not procedurally err, and the sentence is substantively reasonable under the totality of the circumstances and in light of the sentencing factors set forth in 18 U.S.C. § 3553(a). *See Gall v. United States*, 552 U.S. 38, 51 (2007); *see also United States v. Carty*, 520 F.3d 984, 993 (9th Cir. 2008) (en banc).

**AFFIRMED.**