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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NOT FOR PUBLICATION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>JUAN AGUILAR-PEREZ,</p> <p style="text-align: center;">Defendant - Appellant.</p>

No. 11-30172

D.C. No. 2:10-cr-02018-EFS-1

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of Washington
Edward F. Shea, District Judge, Presiding

Submitted February 21, 2012**

Before: FERNANDEZ, McKEOWN and BYBEE, Circuit Judges.

Juan Aguilar-Perez appeals from the 77-month sentence imposed following his guilty-plea conviction for being in the United States 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).

Aguilar-Perez contends that his sentence was substantively unreasonable. His sentence at the low end of the Guidelines range was not substantively unreasonable in light of the totality of the circumstances and the 18 U.S.C. § 3553(a) sentencing factors. *See Gall v. United States*, 552 U.S. 38, 51 (2007).

AFFIRMED.