

MAR 05 2012

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NOT FOR PUBLICATION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.

FRANCISCO MIGUEL ANGEL
NAJERA-GORDILLO, a.k.a. Miguel
Angel Gonzalez,

Defendant - Appellant.

No. 11-10006

D.C. No. 2:05-cr-00383-EJG

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Edward J. Garcia, District Judge, Presiding

Submitted February 21, 2012**

Before: FERNANDEZ, McKEOWN, and BYBEE, Circuit Judges.

Francisco Miguel Angel Najera-Gordillo appeals from the 324-month sentence imposed following his guilty-plea conviction for conspiracy to distribute

* 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).

and to possess with intent to distribute methamphetamine, in violation of 21 U.S.C. §§ 846 and 841(a)(1), and possession with intent to distribute methamphetamine, in violation of 21 U.S.C. § 841(a)(1). We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Najera-Gordillo contends that the sentence imposed is substantively unreasonable. The record reflects that the district court considered Najera-Gordillo's arguments in mitigation and provided a well-reasoned analysis of the 18 U.S.C. § 3553(a) sentencing factors, before concluding that a sentence at the bottom of the Guidelines range was appropriate. The sentence is substantively reasonable under the totality of the circumstances and in light of the section 3553(a) sentencing factors. *See Gall v. United States*, 552 U.S. 38, 51 (2007).

AFFIRMED.