

JUL 03 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NOT FOR PUBLICATION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.

RAMON RAMOS-SOLANO,

Defendant - Appellant.

No. 11-10439

D.C. No. 2:06-cr-00191-GEB

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Garland E. Burrell, Jr., District Judge, Presiding

Submitted June 26, 2012 **

Before: SCHROEDER, HAWKINS, and GOULD, Circuit Judges.

Ramon Ramos-Solano appeals from the 21-month sentence imposed upon revocation of supervised release. 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).

Ramos-Solano first contends that the district court procedurally erred by failing to explain the reasons for the sentence or why it rejected his mitigating arguments. The record reflects that the district court reviewed all of the evidence submitted, listened to the mitigating arguments, and considered the 18 U.S.C. § 3553(a) factors as limited by section 3583. Nothing more was required here. *See Rita v. United States*, 551 U.S. 338, 358-59 (2007).

Ramos-Solano also contends that his sentence is substantively unreasonable because it was greater than necessary to meet the goals of rehabilitation. The record reflects that the sentence is substantively reasonable in light of Ramos-Solano's lengthy criminal history, failure to be deterred, and breach of trust. *See* 18 U.S.C. § 3583(e); *United States v. Miqbel*, 444 F.3d 1173, 1182 (9th Cir. 2006) (at a revocation sentencing, a district court may sanction the defendant for his breach of trust).

AFFIRMED.