

SEP 24 2012

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

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| <p>UNITED STATES OF AMERICA,</p> <p style="text-align: center;">Plaintiff - Appellee,</p> <p>v.</p> <p>JOSE MANUEL ARENAS-ARANDA, a.k.a. Jose M. Arenas,</p> <p style="text-align: center;">Defendant - Appellant.</p> |
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No. 12-10013

D.C. No. 4:10-cr-03072-CKJ

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
James K. Singleton, District Judge, Presiding**

Submitted September 10, 2012***

Before: WARDLAW, CLIFTON, and N.R. SMITH, Circuit Judges.

Jose Manuel Arenas-Aranda appeals from the 48-month sentence imposed

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The Honorable James K. Singleton, Senior United States District Judge for the District of Alaska, sitting by designation.

*** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

following his guilty-plea conviction for reentry after deportation, in violation of 8 U.S.C. § 1326. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Arenas-Aranda contends that his sentence is substantively unreasonable in light of several mitigating factors and because he was sentenced to only six months for a prior misdemeanor immigration conviction. In light of the totality of the circumstances, including Arenas-Aranda's eight previous deportations, the sentence 15 months below the Guidelines range is substantively reasonable. *See* 18 U.S.C. § 3553(a); *Gall v. United States*, 552 U.S. 38, 51 (2007).

AFFIRMED.