

DEC 16 2014

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NOT FOR PUBLICATION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.

SERGIO RAMOS-LOPEZ, a.k.a. Jose
Luis Naranjo,

Defendant - Appellant.

No. 14-30011

D.C. No. 1:13-cr-00160-PA

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Owen M. Panner, District Judge, Presiding

Submitted December 9, 2014**

Before: WALLACE, LEAVY, and BYBEE, Circuit Judges.

Sergio Ramos-Lopez appeals from the district court’s judgment and challenges the 87-month sentence imposed following his guilty-plea conviction for illegal reentry, in violation of 8 U.S.C. § 1326. We have jurisdiction under 28

* 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).

U.S.C. § 1291, and we affirm.

Ramos-Lopez contends that his sentence is substantively unreasonable because the district court gave undue weight to his stale drug trafficking and robbery convictions, and failed to give sufficient weight to his history and characteristics, including his drug addiction. He also argues that the sentence is longer than necessary to afford adequate deterrence and to protect the public. The district court did not abuse its discretion in imposing Ramos-Lopez's sentence. *See Gall v. United States*, 552 U.S. 38, 51 (2007). The 87-month sentence in the middle of the Guidelines range is substantively reasonable in light the 18 U.S.C. § 3553(a) sentencing factors and the totality of the circumstances, including Ramos-Lopez's criminal and immigration history. *See id.*

AFFIRMED.