

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JAN 27 2015

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

OSCAR SOLIS-JARAMILLO,

Defendant - Appellant.

No. 13-50603

D.C. No. 3:07-cr-01547-WQH

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
William Q. Hayes, District Judge, Presiding

Submitted January 21, 2015**

Before: CANBY, GOULD, and N.R. SMITH, Circuit Judges.

Oscar Solis-Jaramillo appeals from the district court's judgment and challenges the seven-month sentence imposed upon revocation of supervised release. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Solis-Jaramillo contends that the district court procedurally erred by failing to

* 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).

respond to his sentencing arguments and by failing to explain adequately the sentence and why it was imposed to run consecutively to the sentence imposed for Solis-Jaramillo's new criminal conviction. We review for plain error, *see United States v. Miquel*, 444 F.3d 1173, 1176 (9th Cir. 2006), and find none. The record reflects that the court considered Solis-Jaramillo's arguments and sufficiently explained the sentence. *See United States v. Carty*, 520 F.3d 984, 992 (9th Cir. 2008) (en banc).

Solis-Jaramillo next contends that his sentence is substantively unreasonable in light of his history and characteristics. The district court did not abuse its discretion in imposing Solis-Jaramillo's sentence. *See Gall v. United States*, 552 U.S. 38, 51 (2007). The sentence is substantively reasonable in light of the 18 U.S.C. § 3583(e) sentencing factors and the totality of the circumstances, including the need to afford adequate deterrence and to protect the public. *See Gall*, 552 U.S. at 51.

AFFIRMED.