

JAN 29 2015

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NOT FOR PUBLICATION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.

SALVADOR LUBIAN CASTILLO-
GARCIA, a.k.a. Francisco Javier-
Salguero, a.k.a. Montgomery Salvador
Mayorga Castillo,

Defendant - Appellant.

Nos. 14-10289

14-10290

D.C. Nos. 2:13-cr-00245-GMN

2:13-cr-00329-GMN

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Gloria M. Navarro, Chief Judge, Presiding

Submitted January 21, 2015**

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

In these consolidated appeals, Salvador Lubian Castillo-Garcia appeals the 15-month sentence imposed following his guilty-plea conviction for being a

* 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).

deported alien found unlawfully in the United States, in violation of 8 U.S.C. § 1326, and the eight-month sentence imposed upon revocation of supervised release. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Castillo-Garcia contends that by running his sentences consecutively, the district court imposed a substantively unreasonable sentence. The district court did not abuse its discretion in imposing Castillo-Garcia's sentence. *See Gall v. United States*, 552 U.S. 38, 51 (2007). The aggregate sentence is substantively reasonable in light of the 18 U.S.C. §§ 3553(a) and 3583(e) sentencing factors and the totality of the circumstances, including Castillo-Garcia's prior removals and conviction for the same offense, the fact that Castillo-Garcia was on supervised release on a prior illegal reentry conviction at the time he was convicted of the instant offense, and the need to deter future criminal conduct. *See Gall*, 552 U.S. at 51; *see also* U.S.S.G. § 7B1.3(f) (term of imprisonment imposed upon the revocation of supervised release shall be ordered to run consecutively to any other sentence the defendant is serving).

AFFIRMED.