

FEB 25 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NOT FOR PUBLICATION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.

IGNACIO LOPEZ SOSA, a.k.a. Carlos
Duran, a.k.a. Ignacio Tony Sosa,

Defendant - Appellant.

No. 13-50489

D.C. No. 2:13-cr-00478-R

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Manuel L. Real, District Judge, Presiding

Submitted February 17, 2015**

Before: O'SCANNLAIN, LEAVY, and FERNANDEZ, Circuit Judges.

Ignacio Lopez Sosa appeals from the district court's judgment and challenges the 36-month sentence imposed following his guilty-plea conviction for

* 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).

being an illegal alien found in the United States following deportation, in violation of 8 U.S.C. § 1326. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Lopez Sosa contends that the district court procedurally erred by failing to explain the sentence adequately. We review for plain error, *see United States v. Valencia-Barragan*, 608 F.3d 1103, 1108 (9th Cir. 2010), and find none. The district court listened to Lopez Sosa's arguments, stated that it had reviewed the criteria set forth in 18 U.S.C. § 3553(a), and imposed a sentence below the Guidelines range. The failure to do more does not constitute plain error. *See id.*

Lopez Sosa also contends that his sentence is substantively unreasonable. The district court did not abuse its discretion in imposing Lopez Sosa's sentence. *See Gall v. United States*, 552 U.S. 38, 51 (2007). The below-Guidelines sentence is substantively reasonable in light of the section 3553(a) sentencing factors and the totality of the circumstances, including Lopez Sosa's multiple prior reentries and his criminal history. *See Gall*, 552 U.S. at 51.

AFFIRMED.