

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NOT FOR PUBLICATION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.