

JUN 26 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NOT FOR PUBLICATION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.

SIJIFREDO DELGADILLO-RAMIREZ,

Defendant - Appellant.

No. 14-50437

D.C. No. 3:14-cr-01522-LAB

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
Larry A. Burns, District Judge, Presiding

Submitted June 22, 2015**

Before: HAWKINS, GRABER, and W. FLETCHER, Circuit Judges.

Sijifredo Delgadillo-Ramirez appeals from the district court's judgment and challenges the 24-month custodial sentence and three-year term of supervised release imposed following his guilty-plea conviction for being a removed alien found in the United States, in violation of 8 U.S.C. § 1326. We have jurisdiction

* 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).

under 28 U.S.C. § 1291, and we affirm.

Delgadillo-Ramirez contends that the 24-month custodial sentence is substantively unreasonable in light of the circumstances of the offense and the alleged staleness of his criminal history. The district court did not abuse its discretion in imposing Delgadillo-Ramirez's sentence. *See Gall v. United States*, 552 U.S. 38, 51 (2007). The below-Guidelines sentence is substantively reasonable in light of the 18 U.S.C. § 3553(a) sentencing factors and the totality of the circumstances, including Delgadillo-Ramirez's violent criminal history. *See Gall*, 552 U.S. at 51.

Delgadillo-Ramirez also contends that the three-year term of supervised release is substantively unreasonable. The district court did not abuse its discretion in imposing Delgadillo-Ramirez's term of supervised release as an added measure of deterrence in light of his criminal and immigration history. *See U.S.S.G. § 5D1.1 cmt. n.5; United States v. Valdavinosa-Torres*, 704 F.3d 679, 692-93 (9th Cir. 2012).

AFFIRMED.