

JUN 29 2015

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

HAOREN MA, a.k.a. Horen Ma, a.k.a.  
Fanjie Meng,

Defendant - Appellant.

No. 14-50215

D.C. No. 2:11-cr-00973-CJC

MEMORANDUM\*

Appeal from the United States District Court  
for the Central District of California  
Cormac J. Carney, District Judge, Presiding

Submitted June 22, 2015\*\*

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

Haoren Ma appeals from the district court's judgment and challenges the 54-month sentence imposed follow his conviction for conspiracy, in violation of 18 U.S.C. § 371; presentation of a false immigration document or application, in

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\* 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).

violation of 18 U.S.C. § 1546(a); and aggravated identity theft, in violation of 18 U.S.C. § 1028A(a)(1). We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Ma contends that his sentence is substantively unreasonable because his codefendant received a sentence of 12 months and one day. The district court did not abuse its discretion in imposing Ma'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. *See Gall*, 552 U.S. at 51; *United States v. Bendtzen*, 542 F.3d 722, 729 (9th Cir. 2008) (noting that a Guidelines or below-Guidelines sentence will usually be reasonable). Moreover, the disparity between Ma's sentence and that of his codefendant was not unwarranted because they had different criminal histories and played different roles in the offense. *See* 18 U.S.C. § 3553(a)(6); *United States v. Carter*, 560 F.3d 1107, 1121 (9th Cir. 2009).

**AFFIRMED.**