

FEB 27 2017

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NOT FOR PUBLICATION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.

JUAN JOSE GALLEGOS-LOPEZ, a.k.a.
Juan Jose Gallegos,

Defendant-Appellant.

No. 16-10067

D.C. No. 4:15-cr-01438-RM

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Rosemary Marquez, District Judge, Presiding

Submitted February 14, 2017**

Before: GOODWIN, FARRIS, and FERNANDEZ, Circuit Judges.

Juan Jose Gallegos-Lopez appeals from the district court's judgment and challenges the 24-month sentence imposed following his guilty-plea conviction for

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

reentry of a removed alien, in violation of 8 U.S.C. § 1326. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Gallegos-Lopez contends that his sentence is substantively unreasonable in light of his cultural assimilation and other mitigating factors, as well as the then-proposed amendments to the illegal reentry guidelines. The court did not abuse its discretion in imposing Gallegos-Lopez'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 Gallegos-Lopez's criminal history. *See Gall*, 552 U.S. at 51.

AFFIRMED.