

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 18 2018

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

ALFONSO RAMIREZ-JUAREZ, a.k.a. Jose
Guadalupe Figueroa Juarez,

Defendant-Appellant.

Nos. 17-10213
17-10214

D.C. Nos. 2:16-cr-01550-GMS
2:16-cr-50270-GMS

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
G. Murray Snow, District Judge, Presiding

Submitted June 12, 2018**

Before: RAWLINSON, CLIFTON, and NGUYEN, Circuit Judges.

In these consolidated appeals, Alfonso Ramirez-Juarez appeals the 24-month sentence imposed following his guilty-plea conviction for reentry of a removed alien, in violation of 8 U.S.C. § 1326, and the 12-month consecutive sentence upon revocation of his supervised release. We have jurisdiction under 28 U.S.C. § 1291,

* 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).

and we affirm.

Ramirez-Juarez contends that the district court procedurally erred at sentencing by failing to treat the Guidelines range as a starting point and initial benchmark in imposing the sentence. According to Ramirez-Juarez, the district court instead relied on progressive sentencing concerns to impose a term three months above the high end of the advisory range for his reentry offense. We disagree. The district court considered and discussed the advisory Guidelines range, which is just one among the 18 U.S.C. § 3553(a) sentencing factors that are to be taken into account in arriving at an appropriate sentence. *See United States v. Carty*, 520 F.3d 984, 991 (9th Cir. 2008) (en banc). The court then discussed the other relevant section 3553(a) factors and explained at length the reasons for the variance and the sentences. The court complied with its procedural obligations. *See Carty*, 520 F.3d at 992.

AFFIRMED.