

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 16 2019

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 18-10495

Plaintiff-Appellee,

D.C. No. 1:11-cr-00318-DAD
BAM-1

v.

JAIME VEGA, AKA Jimmy Johnson,

MEMORANDUM*

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of California
Dale A. Drozd, District Judge, Presiding

Submitted December 11, 2019**

Before: WALLACE, CANBY, and TASHIMA, Circuit Judges.

Jaime Vega appeals from the district court's judgment and challenges the 18-month sentence imposed upon revocation of his supervised release. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Vega argues that the district court erred by failing to provide specific

* 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).

reasons for his above-Guidelines sentence. Because Vega did not raise this objection in the district court, we review for plain error. *See United States v. Miquel*, 444 F.3d 1173, 1176 (9th Cir. 2006). The record demonstrates that the district court imposed the sentence after considering Vega's history and characteristics, particularly Vega's very poor history on supervision. *See* 18 U.S.C. § 3583(e). The district court adequately explained its reasons for imposing the above-Guidelines sentence. *See United States v. Carty*, 520 F.3d 984, 992 (9th Cir. 2008) (en banc).

Vega next contends that the sentence is substantively unreasonable. The district court did not abuse its discretion. *See Gall v. United States*, 552 U.S. 38, 51 (2007). The 18-month sentence is substantively reasonable in light of the 18 U.S.C. § 3583(e) sentencing factors and the totality of the circumstances, including Vega's history on supervision. *See Gall*, 552 U.S. at 51.

AFFIRMED.