

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 25 2015

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOSE ESTEBAN QUINTERO-SANCHEZ,
a.k.a. Jose Esteban Quintero, a.k.a. Jose
Quintero-Sanchez,

Defendant - Appellant.

Nos. 14-10470
14-10471

D.C. Nos. 4:07-cr-00056-RCC
4:13-cr-02151-RCC

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Raner C. Collins, Chief Judge, Presiding

Submitted September 21, 2015**

Before: REINHARDT, LEAVY, and BERZON, Circuit Judges.

In these consolidated appeals, Jose Esteban Quintero-Sanchez appeals from the district court's judgment and challenges the 30-month sentence imposed following his jury-trial conviction for reentry after deportation, in violation of 8

* 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).

U.S.C. § 1326, and the consecutive 18-month sentence imposed upon revocation of supervised release. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Quintero-Sanchez contends that the district court procedurally erred by failing to consider and discuss his sentencing arguments and the 18 U.S.C. § 3553(a) factors. We review for plain error, *see United States v. Valencia-Barragan*, 608 F.3d 1103, 1108 (9th Cir. 2010), and find none. The record reflects that the district court considered Quintero-Sanchez's arguments and the applicable section 3553(a) factors, and sufficiently explained the sentence. *See United States v. Carty*, 520 F.3d 984, 992 (9th Cir. 2008) (en banc).

Quintero-Sanchez next contends that the sentence is substantively unreasonable because the district court allegedly focused on a stale criminal conviction and failed to account for the mitigating factors. The district court did not abuse its discretion in imposing Quintero-Sanchez's sentence. *See Gall v. United States*, 552 U.S. 38, 51 (2007). The aggregate within-Guidelines sentence is substantively reasonable in light of the section 3553(a) sentencing factors and the totality of the circumstances, including Quintero-Sanchez's criminal and immigration history. *See Gall*, 552 U.S. at 51.

AFFIRMED.