

FILED

APR 18 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NOT FOR PUBLICATION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.

GOSADA MUNOZ, a.k.a. Vincecio Duke,
a.k.a. Agapito Godines, a.k.a. Martin
Godines, a.k.a. Agapito Gosada, a.k.a.
Marcos Martinez, a.k.a. Rolando Martinez,
a.k.a. Jose Moran, a.k.a. Agapito Munoz,
a.k.a. Gasada Munoz, a.k.a. Gosada
Guanerges Munoz, a.k.a. Gosada Guaners
Munoz, a.k.a. Gosoda Munoz, a.k.a.
Antonio Nunez, a.k.a. Marcos Ortega,
a.k.a. Morcus Ortega, a.k.a. Javier
Ramirez, a.k.a. Jose Luis Rodriguez, a.k.a.
Daniel Romeo, a.k.a. Tiny, a.k.a. Tiny
Locos,

Defendant-Appellant,

No. 16-50019

D.C. No. 2:12-cr-01053-R

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Manuel L. Real, District Judge, Presiding

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

Submitted April 11, 2017**

Before: GOULD, CLIFTON, and HURWITZ, Circuit Judges.

Gosada Munoz challenges the 60-month sentence imposed upon remand following his guilty-plea conviction for being a felon in possession of firearms and ammunition, in violation of 18 U.S.C. § 922(g)(1). We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Munoz contends that the district court procedurally erred by failing to consider and respond to his mitigating arguments and explain the sentence. We review for plain error. *See United States v. Valencia-Barragan*, 608 F.3d 1103, 1108 (9th Cir. 2010). The record reflects that the district court listened to Munoz's arguments and explained that it had reviewed the 18 U.S.C. § 3553(a) factors in imposing the below-Guidelines sentence. The court's failure to do more was not plain error. *See id.*

AFFIRMED.

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