

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
No. 10-15162  
\_\_\_\_\_

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT DECEMBER 13, 2011 JOHN LEY CLERK
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D.C. Docket No. 1:10-cr-20402-MGC-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSE RAMON PENA,

Defendant-Appellant.

\_\_\_\_\_  
Appeal from the United States District Court  
for the Southern District of Florida

\_\_\_\_\_  
(December 13, 2011)

Before WILSON and COX, Circuit Judges, and RESTANI,\* Judge.

PER CURIAM:

Jose Ramon Pena (“Pena”) appeals his sentence of thirty months imprisonment.

\_\_\_\_\_  
\*Honorable Jane A. Restani, Judge, United States Court of International Trade, sitting by designation.

Pena pled guilty to knowingly making a false statement in an application for a U.S. passport (Count 1), using a fraudulent passport (Count 2), falsely representing himself to be a U.S. citizen (Count 3), and aggravated identity theft (Count 4). Count 4 requires a mandatory-minimum consecutive prison term of twenty-four months. The guidelines recommended a six–twelve month sentence for Counts 1–3. The court imposed a mandatory minimum sentence of twenty-four months on Count 4, the propriety of which is not challenged on this appeal. The court then imposed six month sentences on Counts 1, 2, and 3, to run concurrently with each other but consecutive to the mandatory-minimum sentence.

Pena presents two arguments on appeal: first, that the sentence imposed is procedurally unreasonable because the district court failed to explain the reasons for the sentence; and second, that the sentence is substantively unreasonable.

Having considered the briefs, and had the benefit of oral argument, we conclude that no reversible error has been shown.

**AFFIRMED.**