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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NOT FOR PUBLICATION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.

NORMA ELIZALDE-ORTIZ,

Defendant - Appellant.

No. 13-50283

D.C. No. 2:13-cr-00166-PA-1

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Percy Anderson, District Judge, Presiding

Submitted November 20, 2014**
Pasadena, California

Before: SCHROEDER and NGUYEN, Circuit Judges, and ZOUHARY,**
District Judge.

* 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).

*** The Honorable Jack Zouhary, United States District Judge, Northern District of Ohio, sitting by designation.

Defendant-Appellant Norma Elizalde-Ortiz (“Elizalde-Ortiz”) appeals the district court’s rejection of her Federal Rule of Criminal Procedure 11(c)(1)(C) sentence bargain. She also appeals her 51-month sentence for illegal reentry in violation of 8 U.S.C. § 1326. We have jurisdiction under 28 U.S.C. § 1291 and 18 U.S.C. § 3742, and now affirm.

1. The district court provided specific reasons, rooted in the circumstances of this case, for rejecting the sentence bargain. It therefore did not abuse its discretion. *See In re Morgan*, 506 F.3d 705, 711–12 (9th Cir. 2007).

2. Reviewing for plain error, the district court sufficiently explained the within-Guidelines sentence it imposed. *See United States v. Sandoval-Orellana*, 714 F.3d 1174, 1180–81 (9th Cir. 2013). Elizalde-Ortiz’s within-Guidelines-range sentence is not substantively unreasonable. *See United States v. Reyes*, 764 F.3d 1184, 1199 (9th Cir. 2014)

AFFIRMED.