

FEB 25 2015

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>UNITED STATES OF AMERICA,</p> <p style="text-align: center;">Plaintiff - Appellee,</p> <p>v.</p> <p>MARIO RODRIGUEZ-MALDONADO, a.k.a. Mario Maldonado Rodriguez, a.k.a. Pablo Ochoa-Sanchez,</p> <p style="text-align: center;">Defendant - Appellant.</p>
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Nos. 14-10157  
14-10158

D.C. Nos. 4:13-cr-01606-CKJ  
4:11-cr-00195-CKJ

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Arizona  
Marvin E. Aspen, District Judge, Presiding\*\*

Submitted February 17, 2015\*\*\*\*

Before: O'SCANNLAIN, LEAVY, and FERNANDEZ, Circuit Judges.

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The Honorable Marvin E. Aspen, Senior United States District Judge for the Northern District of Illinois, sitting by designation.

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

In these consolidated appeals, Mario Rodriguez-Maldonado appeals from the district court's judgments and challenges the 24-month sentence imposed following his guilty-plea conviction for attempted reentry after deportation, in violation of 8 U.S.C. § 1326, and the 18-month, partially concurrent sentence imposed upon revocation of supervised release. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Rodriguez-Maldonado contends that the district court procedurally erred by failing to provide a sufficient explanation for the sentences imposed, including its reasons for rejecting his arguments in favor of a lower sentence. We review for plain error, *see United States v. Miqbel*, 444 F.3d 1173, 1176 (9th Cir. 2006), and find none. The record demonstrates that the court heard Rodriguez-Maldonado's arguments in mitigation, and its explanation of the sentence was adequate. *See United States v. Carty*, 520 F.3d 984, 992-93, 995 (9th Cir. 2008) (en banc).

**AFFIRMED.**