

JUN 25 2015

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NOT FOR PUBLICATION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.

BENITO LEDESMA-SANCHEZ,

Defendant - Appellant.

No. 14-10263

D.C. No. 4:13-cr-00591-RCC

MEMORANDUM*

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

Submitted June 22, 2015**

Before: HAWKINS, GRABER, and W. FLETCHER, Circuit Judges.

Benito Ledesma-Sanchez appeals from the 64-month sentence imposed upon remand for resentencing following his guilty-plea conviction for reentry after deportation, in violation of 8 U.S.C. § 1326. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

* 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).

Ledesma-Sanchez contends that the district court violated Federal Rule of Criminal Procedure 32(i)(3)(B) by failing to make an express ruling about whether he had a prior conviction for robbery that would support a 16-level enhancement. The district court expressly determined that the 16-level enhancement validly applied. Accordingly, the court satisfied the requirements of Rule 32. *See* Fed. R. Crim. P. 32(i)(3)(B).

AFFIRMED.