

OCT 19 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NOT FOR PUBLICATION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.

RAMIRO EDUARDO OROZCO-
GODINEZ, a.k.a. Ramiro Orozco, a.k.a.
Ramiro Orozco-Godinez, a.k.a. Ramiro E.
Orozco-Godinez,

Defendant - Appellant.

No. 15-10239

D.C. No. 4:14-cr-01759-RM

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Rosemary Marquez, District Judge, Presiding

Submitted October 14, 2015**

Before: SILVERMAN, BYBEE, and WATFORD, Circuit Judges.

Ramiro Eduardo Orozco-Godinez appeals from the district court's judgment and challenges the 18-month sentence imposed following his guilty-plea

* 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). Orozco-Godinez's unopposed motion to submit this appeal on the briefs is granted.

conviction for reentry of a removed alien, in violation of 8 U.S.C. § 1326. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Orozco-Godinez contends that his sentence is substantively unreasonable because the record does not support the district court's decision to vary upward to avoid unwarranted sentencing disparities. The district court did not abuse its discretion in imposing Orozco-Godinez's sentence. *See Gall v. United States*, 552 U.S. 38, 51 (2007). The 18-month sentence, two months above the high end of the Guidelines range, is substantively reasonable in light of the 18 U.S.C. § 3553(a) sentencing factors and the totality of the circumstances, including Orozco-Godinez's criminal history. *See Gall*, 552 U.S. at 51.

AFFIRMED.