

FILED

OCT 01 2007

**CATHY A. CATTERSON, 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NOT FOR PUBLICATION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.

ROBERTO MARTIN MORALES-SAN
JUAN, a.k.a. Roberto Martin Morales,

Defendant - Appellant.

No. 06-10598

D.C. No. CR-05-02188-CKJ/JCG

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Cindy K. Jorgenson, District Judge, Presiding

Submitted September 24, 2007**

Before: CANBY, TASHIMA, and RAWLINSON, Circuit Judges.

Roberto Martin Morales-San Juan appeals from his guilty-plea conviction and 30-month sentence for illegal reentry after deportation, in violation of

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

** This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

8 U.S.C. § 1326(a). We have jurisdiction under 28 U.S.C. § 1291. We review for reasonableness, *United States v. Booker*, 543 U.S. 220, 261 (2005), and we affirm.

Appellant contends that the sentencing judge improperly enhanced his sentence by relying on facts in the presentence report regarding a prior conviction, and that as a result his sentence is unreasonable. Our review of the record leads us to conclude that the sentencing judge properly relied on the 18 U.S.C. § 3553(a) sentencing factors to impose this enhanced sentence. We therefore conclude that the sentencing judge correctly computed the Guidelines range applicable to appellant's crime, and that the sentence is reasonable. *See United States v. Cantrell*, 433 F.3d 1269, 1279-80 (9th Cir. 2006); *see also United States v. Plouffe*, 445 F.3d 1126, 1131-32 (9th Cir.), *cert. denied*, 126 S. Ct. 2314 (2006).

AFFIRMED.