

MAR 10 2008

MOLLY DWYER, ACTING 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NOT FOR PUBLICATION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.

RAMON GONSALEZ-REYES,

Defendant - Appellant.

No. 06-30620

D.C. No. CR-05-00329-JLR

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
James L. Robart, District Judge, Presiding

Submitted February 26, 2008**

Before: BEEZER, FERNANDEZ, and McKEOWN, Circuit Judges.

Ramon Gonzalez-Reyes appeals from the 144-month sentence imposed following his guilty-plea conviction for possession of methamphetamine with intent to distribute, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A), and

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

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

18 U.S.C. § 2. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Gonzalez-Reyes contends that his sentence is unreasonable because the district court placed undue emphasis on the nature and circumstance of his offense and failed to adequately consider other 18 U.S.C. § 3553(a) factors, including the need to avoid sentencing disparities under § 3553(a)(6). The record, however, shows that the district court considered and properly applied the factors in imposing a below-the-Guidelines sentence. *See* 18 U.S.C. §§ 3553(a)(1) & (a)(2); *United States v. Knows His Gun*, 438 F.3d 913, 918 (9th Cir. 2006) (noting that the requirement to consider the § 3553(a) factors “does not necessitate a specific articulation of each factor separately, but rather a showing that the district court considered the statutorily-designated factors in imposing a sentence.”).

Gonzalez-Reyes also contends that the district court failed to consider his lack of a prior criminal history. We disagree. The district specifically discussed and commended Gonzalez-Reyes for his lack of a prior criminal history. *See id.*

Gonzalez-Reyes further contends that the district court did not adequately explain the reasons for the sentence. This is belied by the record. *See id.*

AFFIRMED.