

JAN 24 2008

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NOT FOR PUBLICATION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.

RAFAEL MUNOZ-MARTINIE,

Defendant - Appellant.

No. 07-10121

D.C. No. CR-06-01017-DCB

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Arizona  
David C. Bury, District Judge, Presiding

Submitted January 14, 2008\*\*

Before: HALL, O'SCANNLAIN, and PAEZ, Circuit Judges.

Rafael Munoz-Martinie appeals from the 52-month sentence imposed following his guilty-plea conviction on one count of importation of cocaine, in

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

violation of 21 U.S.C. §§ 952(a), 960(a)(1), (b)(1)(B)(ii), and one count of possession with intent to distribute cocaine, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A)(ii)(II). We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Munoz-Martinez contends that his sentence was unreasonable because the district court placed too much emphasis on the sentencing range calculated under the advisory Sentencing Guidelines, and failed to consider all of the factors listed in 18 U.S.C. § 3553(a). We disagree. The district court properly considered the required sentencing factors, and articulated its reasoning to the degree required for meaningful appellate review. *See United States v. Perez-Perez*, No. 06-30341, 2008 WL 53664, at \*1-2 (9th Cir. Jan. 4, 2008) (as amended). We conclude that Munoz-Martinez's sentence is not unreasonable. *See Gall v. United States*, 128 S. Ct. 586, 602 (2007).

**AFFIRMED.**