

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

MAR 11 2008

MOLLY DWYER, ACTING CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

HENRY HERNANDEZ-ECHEVARRIA,

Defendant - Appellant.

No. 07-10046

D.C. No. CR-05-00815-MHM

MEMORANDUM*

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JORGE ALBERTO ECHEVARRIA-
ACEVEZ,

Defendant - Appellant.

No. 07-10071

D.C. No. CR-05-00815-MHM

Appeal from the United States District Court
for the District of Arizona
Mary H. Murguia, District Judge, Presiding

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

Submitted February 26, 2008**

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

In these consolidated appeals, Henry Hernandez-Echevarria and Jorge Alberto Echevarria-Acevez appeal from their 168-month and 120-month respective sentences, imposed following their guilty-plea convictions for conspiracy to possess with intent to distribute methamphetamine and cocaine, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii), (b)(1)(B)(ii), and 846. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Hernandez-Echevarria and Echevarria-Acevez contend that their sentences are unreasonable because of the disparity among their sentences and those received by their co-defendants. This contention fails. The record reflects that the district court gave careful consideration to the 18 U.S.C. § 3553(a) factors, including the need to avoid unwanted sentencing disparities, before imposing sentence. *See* 18 U.S.C. § 3553(a)(6); *see also Gall v. United States*, 128 S. Ct. 586, 599 (2007) (“Since the District Judge correctly calculated and carefully reviewed the Guidelines range, he necessarily gave significant weight and consideration to the

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

need to avoid unwarranted disparities.”) . The sentences imposed here are reasonable. *See Gall* at 596-97 (2007).

AFFIRMED.