

Not for Publication in West's Federal Reporter

United States Court of Appeals For the First Circuit

No. 18-2104

UNITED STATES OF AMERICA,

Appellee,

v.

RAYMOND SANTANA-AVILES,

Defendant, Appellant.

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

[Hon. Gustavo A. Gelpí, Jr., U.S. District Judge]

Before

Lynch, Selya, and Barron,
Circuit Judges.

David Ramos-Pagán on brief for appellant.

Rosa Emilia Rodríguez-Vélez, United States Attorney, Mariana E. Bauzá-Almonte, Assistant United States Attorney, Chief, Appellate Division, and Francisco A. Besosa-Martínez, Assistant United States Attorney, on brief for appellee.

December 10, 2019

PER CURIAM. We summarily affirm the revocation sentence and revocation judgment in this matter. See 1st Cir. R. 27.0(c).

The sentence imposed is procedurally sound. The district court did not consider any impermissible factors nor did it rely on any inaccurate information. "After all, where there is more than one plausible view of the circumstances, the sentencing court's choice among supportable alternatives cannot be" abuse of discretion. United States v. Ruiz, 905 F.2d 499, 508 (1st Cir. 1990). There was, therefore, no abuse of discretion. See Gall v. United States, 552 U.S. 38, 51 (2007); United States v. Flores-Machicote, 706 F.3d 16, 20 (1st Cir. 2013).

So, too, the district court articulated a plausible sentencing rationale and achieved a defensible result. See United States v. Martin, 520 F.3d 87, 96 (1st Cir. 2008). The sentence – though higher than the Guidelines sentence that the defendant sought – is within the wide "universe of reasonable sentencing outcomes." United States v. Vargas-García, 794 F.3d 162, 167 (1st Cir. 2015) (quoting United States v. Clogston, 662 F.3d 588, 592 (1st Cir. 2011)). Consequently, the defendant's claim of substantive unreasonableness is without merit.

Affirmed.