

United States Court of Appeals
For the Eighth Circuit

No. 18-2805

United States of America

Plaintiff - Appellee

v.

Jose Corio-Raymundo, also known as Jose Raymundo-Corio

Defendant - Appellant

Appeal from United States District Court
for the Northern District of Iowa - Cedar Rapids

Submitted: April 17, 2019

Filed: April 22, 2019

[Unpublished]

Before LOKEN, GRUENDER, and SHEPHERD, Circuit Judges.

PER CURIAM.

Following a jury trial, Jose Corio-Raymundo was found guilty of knowingly using a forged identification document as evidence of authorized employment, in violation of 18 U.S.C. § 1546(a), and of misusing for tax purposes a social security number not assigned to him, in violation of 42 U.S.C. § 408(a)(7)(B). The district

court¹ sentenced Corio-Raymundo to six months in prison and three years of supervised release, and he appeals, challenging the sufficiency of the evidence supporting the jury verdict and the reasonableness of the sentence.

The evidence at trial established, in part, that Corio-Raymundo acknowledged his work ineligibility during an encounter with an Immigration and Customs Enforcement employee earlier in the year before he provided an employer with a Form I-9 and a Form W-4 bearing his name and a social security account number assigned to another person, as well as a fraudulent version of a social security card with Corio-Raymundo's name and that same social security account number. Viewed in a light most favorable to the verdict, this evidence was sufficient to prove the elements of the offenses beyond a reasonable doubt. See United States v. Machorro-Xochicale, 840 F.3d 545, 548 (8th Cir. 2016) (setting forth standard of review and elements of offenses), cert. denied, 137 S. Ct. 1214 (2017). We also reject Corio-Raymundo's challenge to the reasonableness of his six-month prison sentence because we conclude that the district court, after considering the 18 U.S.C. § 3553(a) sentencing factors, did not abuse its discretion. See United States v. Callaway, 762 F.3d 754, 760-61 (8th Cir. 2014) (presuming reasonableness of within-Guidelines sentence).

The judgment is affirmed.

¹The Honorable Linda R. Reade, United States District Judge for the Northern District of Iowa.