

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-14139
Non-Argument Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

HAIDAR ABO AYEDH ALMUNTASER,

a.k.a. Abo Ayedh Almntaser Haidar,

a.k.a. Al-Muntasar Haam,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Alabama
D.C. Docket No. 2:25-cr-00018-JB-N-4

Before ROSENBAUM, BLACK, and WILSON, Circuit Judges.

PER CURIAM:

Haidar Almontaser challenges the procedural and substantive reasonableness of his 60-month sentence for conspiracy to commit international money laundering, a 48-month upward variance from his Guidelines imprisonment range. He asserts the district court plainly erred by failing to adequately explain its reasons for varying upward significantly. Similarly, he contends his sentence was substantively unreasonable because the court provided little justification for its substantial variance. After review, we affirm.

I. PROCEDURAL REASONABLENESS

A sentence is procedurally reasonable when the district court, among other things, duly considers the 18 U.S.C. § 3553(a) factors and adequately explains its chosen sentence. *Gall v. United States*, 552 U.S. 38, 51 (2007). The relevant § 3553(a) factors include the nature and circumstances of the offense; the history and characteristics of the defendant; the applicable Guidelines range; the need for the sentence to reflect the seriousness of the offense, protect the public, and deter the defendant; and the need to avoid unwarranted sentencing disparities. 18 U.S.C. § 3553(a); *see Gall*, 552 U.S. at 50 n.6. The district court must “state in open court the reasons for its imposition of the particular sentence” that it selects. 18 U.S.C. § 3553(c). If a court selects a sentence outside of the Guidelines range, it must describe the reason for its variance with specificity and include this reason in a statement of reasons form issued under 21 U.S.C. § 994. *Id.* § 3553(c)(2). “The primary reason Section 3553(c) requires an oral and written statement is so that a de-

fendant can meaningfully appeal the sentence.” *United States v. Steiger*, 99 F.4th 1316, 1325 (11th Cir. 2024) (en banc). A defendant’s substantial rights are not affected by a § 3553(c) error if the record is clear enough to allow meaningful appellate review of the sentence. *Id.* A court need not explicitly address “each of the § 3553(a) factors or all of the mitigating evidence,” so long as the record reflects the court considered the factors and the parties’ arguments. *United States v. Taylor*, 997 F.3d 1348, 1354 (11th Cir. 2021).

While a district court must consider the § 3553(a) factors in determining a sentence, it is not required to state in its explanation that it has evaluated each factor individually. *United States v. Ortiz-Delgado*, 451 F.3d 752, 758 (11th Cir. 2006). An acknowledgment by the district court that it has considered the § 3553(a) factors is sufficient. *United States v. Turner*, 474 F.3d 1265, 1281 (11th Cir. 2007). Further, the district court must set forth a sufficient explanation to satisfy us that it has “considered the parties’ arguments and has a reasoned basis” for its sentencing decision. *Rita v. United States*, 551 U.S. 338, 356 (2007). However, the court is under no duty to explain the sentence in “great detail.” *United States v. Irey*, 612 F.3d 1160, 1195 (11th Cir. 2010) (en banc).

We review Almontaser’s challenge to the procedural reasonableness of his sentence for plain error because he failed to timely object on this ground at his sentencing hearing. *Steiger*, 99 F.4th at 1322 (stating when a party fails to object to an error regarding the district court’s statement of reasons for imposing a sentence, we will review for plain error). Almontaser has failed to

show his sentence was procedurally unreasonable because the district court adequately explained the sentence imposed and provided a written statement of reasons supporting its upward variance. The court stated at the sentencing hearing that it considered all the information—including the PSI, sentencing memoranda, the § 3553(a) factors, and “everything I’ve heard here today in court”—when making its sentencing determination. *See Gall*, 552 U.S. at 51. The court also relied on several specific § 3553(a) factors in explaining its sentence, including the nature and circumstances of the case, Almontaser’s history and characteristics, the seriousness of the offense, and the need for general and specific deterrence. Additionally, because the district court adopted the sentence recommended by the Government, rather than those recommended by Almontaser or the probation officer, it suggests the court adopted the arguments put forward by the Government as to its sentencing recommendation, both at sentencing and in writing. *See Rita*, 551 U.S. at 356 (stating we may glean the district court’s reasoning based, in part, on the “context and the parties’ prior arguments”); *see also United States v. Giron*, 15 F.4th 1343, 1350 (11th Cir. 2021) (noting in the context of an 18 U.S.C. § 3582(c)(1)(A) sentence reduction that the district court’s reason for denying compassionate release was “apparent in the record” where the government argued for denial and the district court adopted the government’s recommendation).

The district court also complied with the formal requirements for imposing its upward variance by providing its reasoning both at sentencing and in a separate statement of reasons. Though Almontaser asserts the court “fail[ed] to provide a detailed written

25-14139

Opinion of the Court

5

statement of reasons,” the district court was under no obligation to provide “great detail” as to its reasons for imposing the upward variance. *See Irey*, 612 F.3d at 1195; 18 U.S.C. § 3553(c)(2). Rather, the court only needed to provide enough detail for this Court to apply meaningful appellate review. *See Steiger*, 99 F.4th at 1325. Because the record reflects the court considered the factors and the parties’ arguments and because the court provided several reasons both at sentencing and in its statement of reasons to justify the upward variance, the court adequately explained his sentence. *See id.*; *Taylor*, 997 F.3d at 1354. Therefore, Almontaser has failed to show the district court plainly erred as to procedural reasonableness.

II. SUBSTANTIVE REASONABLENESS

In reviewing the substantive reasonableness of a sentence, we “will not substitute our own judgment for that of the sentencing court and we will affirm a sentence so long as the court’s decision was ‘in the ballpark of permissible outcomes.’” *United States v. Butler*, 39 F.4th 1349, 1355 (11th Cir. 2022) (quotation marks omitted). A district court abuses its discretion and imposes a substantively unreasonable sentence “when it (1) fails to afford consideration to relevant factors that were due significant weight, (2) gives significant weight to an improper or irrelevant factor, or (3) commits a clear error of judgment in considering the proper factors.” *Irey*, 612 F.3d at 1189 (quotation marks omitted). The party challenging the sentence bears the burden of proving that it is unreasonable based on the facts of the case and the § 3553(a) factors. *United States v. Shabazz*, 887 F.3d 1204, 1224 (11th Cir. 2018).

Section 3553(a)'s overarching instruction is that any sentence must be "sufficient, but not greater than necessary," to comply with the purposes listed in § 3553(a)(2). 18 U.S.C. § 3553(a). In determining its sentence, the district court must make an "individualized assessment" based on the facts of each particular case. *Gall*, 552 U.S. at 50. The district court must consider all relevant § 3553(a) factors, but "the weight given to each factor is committed to the sound discretion of the district court," which may greatly weigh one factor over the others. *Butler*, 39 F.4th at 1355.

Because Almontaser broadly advocated for a shorter sentence at his sentencing hearing, his substantive reasonableness challenge was preserved and is reviewed for an abuse of discretion. *See United States v. Sotelo*, 130 F.4th 1229, 1244 (11th Cir. 2025) (reviewing the substantive reasonableness of a sentence under the deferential abuse-of-discretion standard); *Holguin-Hernandez v. United States*, 589 U.S. 169, 175 (2020) (stating a defendant may preserve an objection to the substantive reasonableness of a sentence by advocating for a shorter sentence before the district court). Almontaser has not shown the district court abused its discretion by imposing a sentence of 60 months' imprisonment, which was a 48-month upward variance. The sentence imposed was "in the ballpark of permissible outcomes" and was based on several § 3553(a) factors. *See Butler*, 39 F.4th at 1355; *Shabazz*, 887 F.3d at 1224. The court stated it considered the § 3553(a) factors and clarified that several § 3553(a) factors influenced its decision to vary upward—the seriousness of the offense, the nature and circumstances of the case, Almontaser's history and characteristics, and the need for

general and specific deterrence. *See Butler*, 39 F.4th at 1355. Though Almontaser provided arguments in mitigation before the district court, the district court was entitled to weigh the factors it identified more heavily than the mitigating arguments Almontaser provided. *See id.* While the upward variance determined by the court was significantly higher than the Guidelines range and both Almontaser's and the probation officer's recommended sentences, the court justified its reason for varying significantly upward. *See United States v. Early*, 686 F.3d 1219, 1221 (11th Cir. 2012) (providing an upward variance is substantively reasonable when the district court provides an explanation that is "compelling enough to support the degree of the variance"); *Irey*, 612 F.3d at 1196 (explaining major variances require "a more significant justification").

Almontaser has not established the court failed to afford proper consideration to a factor due significant weight, and we will not substitute our judgment for that of the district court where the sentence it imposed was within the range of permissible sentences. *See Irey*, 612 F.3d at 1187 (stating we give deference to the district court's decision that the § 3553(a) factors support its chosen sentence, and the fact that we could reasonably conclude that a different sentence was appropriate provides an insufficient basis to reverse the district court's decision). Nor has Almontaser shown the court considered an impermissible or irrelevant factor or committed a clear error of judgment in its consideration of the sentencing factors. *See id.* at 1189. Additionally, though Almontaser received an upward variance, his sentence was well below the statutory

maximum of 240 months, which is another indication of reasonableness. *See* 18 U.S.C. § 1956(a), (h); *United States v. Goldman*, 953 F.3d 1213, 1222 (11th Cir. 2020) (stating an indicator of reasonableness is whether the sentence falls well below the maximum penalty).

Accordingly, as Almontaser has failed to show his sentence was procedurally or substantively unreasonable, we affirm.

AFFIRMED.