

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 18-11127
Non-Argument Calendar

D.C. Docket No. 8:17-cr-00445-SCB-CPT-2

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GUSTAVO ENRIQUE LLANOS MIRANDA,
JAIR MENDOZA MONTOYA,

Defendants-Appellants.

Appeals from the United States District Court
for the Middle District of Florida

(May 17, 2019)

Before MARCUS, ROSENBAUM, and ANDERSON, Circuit Judges.

PER CURIAM:

Gustavo Llanos Miranda and Jair Mendoza Montoya, indicted and tried together for offenses related to trafficking cocaine, appeal their convictions, and Montoya additionally appeals his 360-month total sentence. Miranda and Montoya were convicted of conspiracy to distribute and possess with intent to distribute five kilograms or more of cocaine while aboard a vessel subject to the jurisdiction of the United States, in violation of 46 U.S.C. §§ 70503(a) and 70506(a), (b), and 21 U.S.C. § 960(b)(1)(B)(ii) (Count 1). Both defendants were also convicted of possession with intent to distribute five or more kilograms of cocaine while aboard a vessel subject to the jurisdiction of the United States, in violation of §§ 70503(a), 70506(a), § 960(b)(1)(B)(ii), and 18 U.S.C. § 2 (Count 2).

On appeal, Miranda and Montoya both challenge the sufficiency of the evidence underlying their convictions. Montoya additionally challenges his sentence on two grounds: that the district court erred by imposing a sentence enhancement under U.S.S.G. § 3C1.1, because the enhancement violated his constitutional right to testify, and that the district court abused its discretion by sentencing him to 360 months' imprisonment when his codefendants received lower sentences. We will consider each challenge in turn.

I.

We review the sufficiency of the evidence *de novo*, “viewing the evidence in the light most favorable to the government and drawing all reasonable inferences