

August 9, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-11233
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SANDRA SUE SMITH,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
No. 4:98-CR-197-1

Before SMITH, WIENER, and OWEN, Circuit Judges.

PER CURIAM:*

Sandra Smith was convicted, pursuant to a guilty plea, of two counts of using unauthorized access cards and was sentenced to concurrent 27-month terms in prison followed by concurrent three-year terms of supervised release. She appeals the imposition of two consecutive nine-month prison terms following the revocation of

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

supervised release. She argues that the district court erroneously believed that the policy statements of the Sentencing Guidelines required or encouraged the court to impose consecutive sentences and that the court reversibly erred in imposing her revocation sentence because the circumstances do not warrant consecutive sentences.

Smith has not established that her sentence was imposed in violation of law. The total 18-month term of imprisonment imposed on revocation of supervised release did not exceed the statutory maximum. See 18 U.S.C. § 3583(e)(3). Accordingly, the revocation sentence was neither "unreasonable" nor "plainly unreasonable." See United States v. Hinson, 429 F.3d 114, 120 (5th Cir. 2005), cert. denied, 126 S. Ct. 1804 (2006).

AFFIRMED.