

January 18, 2007

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 06-30288  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MARCUS WILLIAMS,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Middle District of Louisiana  
USDC No. 3:04-CR-190-ALL  
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Before DAVIS, BARKSDALE and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Marcus M. Williams appeals the sentence that he received after he pleaded guilty to being a felon in possession of a firearm. Williams argues that the district court erred when it enhanced his sentence pursuant to U.S.S.G. § 2K2.1(b)(5) because he would not be convicted for "another felony offense" in light of Louisiana jurisprudence applying LA. REV. STAT. 14:27.

Williams's argument is unavailing. Commentary to the Guideline explicitly states that a conviction need not be obtained for the Guideline to apply. § 2K2.1(b)(5), comment. (n.4). Moreover,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

the offense conduct as set forth in the Presentence Report supports the district court's determination that Williams possessed a firearm and ammunition in connection with another felony offense. See United States v. Gonzales, 436 F.3d 560, 584 (5th Cir. 2006). Williams's challenge to the reasonableness of his sentence, which was within the applicable guidelines range of imprisonment, is likewise unavailing. See United States v. Alonzo, 435 F.3d 551, 554 (5th Cir. 2006); United States v. Ruff, 984 F.2d 635, 640 (5th Cir. 1993).

AFFIRMED.