

FILED

February 12, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 05-51057

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MELQUIADEZ LOPEZ-CERDA,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas, San Antonio
USDC No. 5:05-CR-57-ALL

Before REAVLEY, JOLLY and BENAVIDES, Circuit Judges.

PER CURIAM:*

The judgment of the district court is affirmed. The district court's expression of caution in departing from or deviating from the sentencing guidelines does not render a properly calculated guideline sentence unreasonable. There was no error.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

AFFIRMED.