

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-50450  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JACKIE LENARD,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. MO-94-CR-116  
- - - - -  
February 24, 1997

Before SMITH, EMILIO M. GARZA, and PARKER, Circuit Judges.

PER CURIAM:\*

Jackie Lenard appeals the sentence imposed by the district court upon revocation of his term of supervised release. This court will uphold a sentence imposed following the revocation of a term of supervised release unless it was in violation of law or was plainly unreasonable. United States v. Mathena, 23 F.3d 87, 89, 93-94 (5th Cir. 1994). Lenard argues that the sentence was plainly unreasonable.

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Lenard's sentence was not unlawful as it was within the statutory maximum upon revocation of supervised release for a defendant whose underlying offense was a Class C felony. See 18 U.S.C. § 3583(e)(3); see also Mathena, 23 F.3d at 94. Nor was Lenard's sentence "plainly unreasonable" as the district court determined that Lenard's multiple and varied violations indicated his intent not to abide by the terms of his supervised release.

AFFIRMED.