

August 2, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-10133
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CAROLYN PENRICE BELCHER,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:00-CR-65-ALL-A

Before DeMOSS, BENAVIDES, and CLEMENT, Circuit Judges.

PER CURIAM:*

Carolyn Penrice Belcher was convicted of one count of theft of a money order issued by the Postal Service, and the district court sentenced her to five years of probation. The district court subsequently revoked her probation and sentenced her to serve 18 months in prison and a three-year term of supervised release.

Belcher argues on appeal that the district court reversibly erred in sentencing her to serve 18 months in prison. She contends that the district court neglected to consider proper sentencing

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

factors and based her sentence on improper factors. She further contends that her sentence is unreasonable and that it should be considered an upward departure.

Because Belcher failed to object to her sentence, our review is for plain error only. See United States v. McCullough, 46 F.3d 400, 401 (5th Cir. 1995). Belcher has not shown error, plain or otherwise, in connection with her sentence. See United States v. Wheeler, 322 F.3d 823, 828 (5th Cir. 2003); United States v. Pena, 125 F.3d 285, 287 (5th Cir. 1997). Accordingly, the district court's judgment is AFFIRMED.