

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

February 18, 2009

Charles R. Fulbruge III
Clerk

No. 08-60654

Summary Calendar

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

SHERRY ANNA CORD

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 1:02-CR-98-1

Before JONES, Chief Judge, and STEWART and OWEN, Circuit Judges.

PER CURIAM:*

Sherry Anna Cord appeals the revocation of supervised release entered on July 15, 2008. She argues that the events that resulted in her termination from a community corrections center were not her fault and that she showed progress while on supervised release. She has not, however, shown that the district court's decision was based on an error of law or a clearly erroneous assessment of the evidence. Applying the abuse of discretion standard, we find no error. *See United States v. Grandlund*, 71 F.3d 507, 509 (5th Cir. 1995).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Cord further contends that her 10-month prison sentence was substantively unreasonable. Cord's sentence was within the applicable Sentencing Guidelines range, below the statutory maximum, and imposed after her third revocation of supervised release. Under the plain error standard, Cord has failed to demonstrate any clear or obvious error affecting her substantial rights. *See United States v. Hernandez-Martinez*, 485 F.3d 270, 273 (5th Cir.), *cert. denied*, 128 S. Ct. 325 (2007).

The judgment is AFFIRMED.