

November 7, 2006

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 05-50830  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MICHAEL LAWRENCE PETISCA,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 1:04-CR-146-ALL  
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Before Jolly, Dennis, and Clement, Circuit Judges.

PER CURIAM:\*

Michael Lawrence Petisca pleaded guilty to two counts of bank robbery. See 18 U.S.C. § 2113(a). He was sentenced prior to the Supreme Court's issuance of United States v. Booker, 543 U.S. 220 (2005). His case was remanded for resentencing after Booker. He now appeals, arguing that the district court erred in denying his request for a non-guideline sentence below the applicable guideline range.

The district court adequately addressed the factors in 18 U.S.C. §3553(a). Petisca has failed to rebut the presumption of

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

reasonableness attached to his guideline sentence. See United States v. Alonzo, 435 F.3d 551, 554 (5th Cir. 2006).

AFFIRMED.