

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

June 19, 2008

No. 07-40743
Conference Calendar

Charles R. Fulbruge III
Clerk

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

SERGIO EDUARDO CEBALLOS, JR

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 5:07-CR-182-ALL

Before JONES, Chief Judge, and JOLLY and DENNIS, Circuit Judges.

PER CURIAM:*

Sergio Eduardo Ceballos, Jr., was convicted of conspiracy and possession with intent to distribute cocaine. He was sentenced to serve two concurrent 20-year terms of imprisonment. Ceballos argues for the first time on appeal that his sentence is unreasonable and that the district court should have sentenced him below the mandatory statutory minimum sentence of 20 years.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

After *United States v. Booker*, 543 U.S. 220, 261-63 (2005), we ordinarily review sentences for reasonableness. *United States v. Mares*, 402 F.3d 511, 520 (5th Cir. 2005). Generally, “post-Booker sentencing courts lack discretion to depart below relevant statutory minimums.” *United States v. Krumnow*, 476 F.3d 294, 297 (5th Cir. 2007). There are two exceptions to this general rule, neither of which is applicable here. As Ceballos could not be sentenced to any lower sentence than the statutory mandatory minimum, he cannot show error, plain or otherwise, with respect to the reasonableness of his sentence.

AFFIRMED.