

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

May 29, 2009

Charles R. Fulbruge III
Clerk

No. 08-50725 c/w
No. 08-50727
Summary Calendar

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

EDUARDO ESCAJEDA

Defendant-Appellant

Appeals from the United States District Court
for the Western District of Texas
USDC No. 3:01-CR-972-3
USDC No. 3:08-CR-495-ALL

Before SMITH, STEWART and SOUTHWICK, Circuit Judges.

PER CURIAM:*

Eduardo Escajeda appeals the district court's imposition of consecutive terms of 77 months of imprisonment, imposed following Escajeda's guilty-plea conviction to importing marijuana with the intent to distribute it, and 33 months of imprisonment, imposed upon the revocation of a term of supervised release that Escajeda was serving in connection with a 2001 conviction. Escajeda argues

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

that imposing his revocation sentence to run consecutively to his sentence for his drug offense resulted in an unreasonable sentence.

The district court considered the sentencing factors of 18 U.S.C. § 3553(a) when exercising its discretion to impose consecutive sentences. *See Gall v. United States*, 128 S. Ct. 586, 594 (2007); *United States v. Gonzalez*, 250 F.3d 923, 925-930 (5th Cir. 2001); *United States v. Hinson*, 429 F.3d 114, 118-19 (5th Cir. 2005); 18 U.S.C. § 3584(a), (b); U.S.S.G. § 7B1.3(f) (policy statement); § 7B1.3 comment. (n.4).

The district court's judgment is AFFIRMED.