

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

United States Court of Appeals  
Fifth Circuit

**FILED**

November 1, 2010

Lyle W. Cayce  
Clerk

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No. 09-31176  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

SYDIRYL ANTHONY LEWIS,

Defendant-Appellant

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 6:08-CR-371-1

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Before HIGGINBOTHAM, SMITH, and HAYNES, Circuit Judges.

PER CURIAM:\*

Sydiryl Anthony Lewis appeals the 327-month sentence imposed after he pleaded guilty to two counts of a 10-count indictment charging him with several drug-trafficking and firearm crimes. He contends that the court at sentencing gave inadequate consideration to his history of untreated substance-abuse problems.

The sentence was within the properly calculated advisory guidelines range and is presumed to be reasonable. *See United States v. Alonzo*, 435 F.3d 551,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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554 (5th Cir. 2006). Lewis addresses legitimate sentencing factors but does not rebut the presumption of reasonableness, especially where the district court considered and rejected his arguments in light of the presentence report and the sentencing factors of 18 U.S.C. § 3553(a). Lewis simply asks this court to substitute his assessment of the § 3553(a) factors for that of the district court, which is directly contrary to the deferential review dictated by *Gall v. United States*, 552 U.S. 38, 51 (2007). The judgment of the district court is AFFIRMED.