

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

United States Court of Appeals  
Fifth Circuit

**FILED**

February 15, 2011

Lyle W. Cayce  
Clerk

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No. 10-10659  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

PAULA GONZALES,

Defendant-Appellant

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 5:10-CR-2-1

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Before HIGGINBOTHAM, GARZA, and ELROD, Circuit Judges.

PER CURIAM:\*

Paula Gonzales appeals the 27-month sentence imposed following her conviction for possessing and uttering forged securities, in violation of 18 U.S.C. § 513(a). Gonzales contends that her within-guidelines sentence is procedurally unreasonable because the district court failed to address the specific arguments that she raised in favor of a downward variance. She acknowledges that her argument is foreclosed by circuit precedent, and she raises the argument to

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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preserve it for further review. The Government moves for summary affirmance or, in the alternative, for an extension of time to file a brief.

Because Gonzales did not object in the district court to the sufficiency of the court's explanation for her sentence, plain error review applies. *See United States v. Mondragon-Santiago*, 564 F.3d 357, 361 (5th Cir.), *cert. denied*, 130 S. Ct. 192 (2009). Gonzales has not shown that any error by the court in explaining its sentence affected her substantial rights because there is no indication that a more thorough explanation would have changed her sentence. *See id.* at 365. This court has specifically rejected Gonzales's contention that the district court's failure to address her mitigation arguments affected her substantial rights by precluding meaningful appellate review or impacted the fairness, integrity, or public reputation of the judicial proceedings. *See id.* Thus, as Gonzales correctly concedes, she cannot show reversible plain error under our precedent.

Accordingly, the judgment of the district court is AFFIRMED, and the Government's motion for summary affirmance is GRANTED. The alternative request for an extension of time to file a brief is DENIED.