

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

United States Court of Appeals
Fifth Circuit

FILED

October 31, 2011

Lyle W. Cayce
Clerk

No. 11-10172
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

FATIMA RANSOM,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:10-CR-163-2

Before KING, JOLLY, and GRAVES, Circuit Judges.

PER CURIAM:*

Fatima Ransom pleaded guilty to conspiracy to possess with intent to distribute a controlled substance and was sentenced within the advisory guidelines range to 160 months of imprisonment and five years of supervised release.

Ransom argues that her sentence is substantively unreasonable. Specifically, she contends that her history and characteristics and the nature and circumstances of the offense do not support her sentence. Additionally,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 11-10172

Ransom asserts that the district court was entitled to sentence her anywhere within the statutory range of imprisonment. The Government moves for summary affirmance on the ground that circuit precedent forecloses Ransom's argument and, alternatively, requests an extension of time to file a responsive brief.

Ransom has not shown that her sentence did not account for a factor that should have received significant weight, gave significant weight to an irrelevant or improper factor, or represented a clear error of judgment in balancing sentencing factors; her arguments merely reflect her disagreement with the propriety of her sentence and the weighing of factors that were properly considered. *See United States v. Cooks*, 589 F.3d 173, 186 (5th Cir. 2009), *cert. denied*, 130 S. Ct. 1930 (2010). As a result, she has failed to overcome the presumption of reasonableness that attaches to her within-the-guidelines sentence on appellate review. *See United States v. Campos-Maldonado*, 531 F.3d 337, 338 (5th Cir. 2008). Accordingly, Ransom has not demonstrated that the district court abused its discretion by imposing a substantively unreasonable within-guidelines sentence. *See Gall v. United States*, 552 U.S. 38, 51 (2007). The judgment of the district court is AFFIRMED. The Government's motion for summary affirmance and, alternatively, for an extension of time to file a brief is DENIED.