

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

United States Court of Appeals
Fifth Circuit

FILED

May 23, 2013

Lyle W. Cayce
Clerk

No. 12-31095

Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

MICHAEL P. LATHAM,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 5:11-CR-320-1

Before JONES, DENNIS, and HAYNES, Circuit Judges.

PER CURIAM:*

Michael P. Latham appeals the 21-month sentence imposed after he pleaded guilty to attempting to transfer obscene materials to a minor. He argues that the sentence is substantively unreasonable because it does not give due weight to his personal circumstances and because it gives inordinate weight to letters from his estranged wife and her father.

We presume that the sentence within the proper guideline range is reasonable. *See United States v. Alonzo*, 435 F.3d 551, 554 (5th Cir. 2006).

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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Given the district court's thorough consideration of the arguments, evidence, and sentencing factors of 18 U.S.C. § 3553(a), Latham's contentions are reduced to a mere disagreement with the district court, and he thus fails to rebut the presumption of reasonableness. *See United States v. Ruiz*, 621 F.3d 390, 398 (5th Cir. 2010). Latham's invitation to substitute his assessment of the relevant factors for the district court's assessment is contrary to the deferential review mandated by *Gall v. United States*, 552 U.S. 38, 46, 51 (2007). Accordingly, the judgment of the district court is AFFIRMED.