## IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT United States Court of Appeals

No. 13-11145 Summary Calendar Fifth Circuit **FILED** October 8, 2014

Lyle W. Cayce Clerk

Consolidated with 13-11146

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JESUS CRESPIN SANCHEZ,

Defendant-Appellant

Appeals from the United States District Court for the Northern District of Texas USDC No. 4:11-CR-27-1 USDC No. 4:11-CR-28-1

Before HIGGINBOTHAM, JONES, and HIGGINSON, Circuit Judges. PER CURIAM:\*

In these consolidated appeals, Jesus Crespin Sanchez appeals from the district court's orders revoking his concurrent supervised release terms and imposing consecutive prison terms of 18 months, 21 months, and 21 months.

 $<sup>^*</sup>$  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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 13-11145 c/w No. 13-11146

Sanchez contends that the district court committed a procedural error when it interpreted U.S.S.G. § 7B1.4 as recommending consecutive revocation sentences.

We review a preserved challenge to a revocation sentence under the plainly unreasonable standard. United States v. Miller, 634 F.3d 841, 843 (5th Cir. 2011). We evaluate whether the district court procedurally erred before we consider the substantive reasonableness of the sentence imposed under an abuse-of-discretion standard. Id. (internal quotation marks and citations omitted). In reviewing for procedural error, we review the application of the Guidelines de novo. See United States v. McKinney, 520 F.3d 425, 428 (5th Cir. 2008).

Section 7B1.4 is silent regarding whether a district court may impose concurrent or consecutive revocation sentences. Therefore, the district court was vested with the authority and discretion to impose consecutive sentences upon revocation of Sanchez's concurrent terms of supervised release. *See United States v. Gonzalez*, 250 F.3d 923, 925-29 (5th Cir. 2001); 18 U.S.C. § 3584(a).

AFFIRMED.