

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

No. 14-20140
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

December 29, 2014

UNITED STATES OF AMERICA,

Lyle W. Cayce
Clerk

Plaintiff-Appellee

v.

ALFREDO CASTILLO-CALDERON, also known as Alfredo Castillo, also known as Alfredo Castillo Calderon, also known as Alfredo Castillo-Calceron,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:13-CR-588-1

Before KING, JOLLY, and HAYNES, Circuit Judges.

PER CURIAM:*

Alfredo Castillo-Calderon appeals the 26-month sentence imposed after his guilty plea conviction for illegal reentry following a prior deportation. He argues that the above-guidelines sentence is substantively unreasonable because it was greater than necessary to satisfy the sentencing goals of 18 U.S.C. § 3553(a). He asserts that the district court gave too much weight to

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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his prior convictions, which were remote in time, and not enough weight to his personal circumstances.

Following *United States v. Booker*, 543 U.S. 220 (2005), sentences, whether inside or outside the Guidelines, are reviewed for reasonableness in light of the § 3553(a) factors. *Gall v. United States*, 552 U.S. 38, 51 (2007). The record reflects that the district court had an adequate basis for the sentence imposed and was guided by the § 3553(a) factors in deciding that an upward variance was merited. The district court concluded that the guidelines range did not adequately take into account the § 3553(a) factors, including the nature and circumstances of the offense, the history and characteristics of Castillo-Calderon, and the need to deter future crimes. To the extent that Castillo-Calderon disagrees with his sentence and the district court's evaluation of the § 3553(a) factors, he has not shown that the district court abused its discretion on that basis. Accordingly, the judgment of the district court is AFFIRMED.