

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

No. 17-50544
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 6, 2018

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

ROYSHENA HOLT,

Defendant-Appellant

Appeals from the United States District Court
for the Western District of Texas
USDC No. 7:17-CR-21-1

Before STEWART, Chief Judge, and ELROD and HIGGINSON, Circuit
Judges.

PER CURIAM:*

Royshena Holt pleaded guilty to failing to surrender for service of a federal prison sentence, in violation of 18 U.S.C. § 3146(a)(2). She was sentenced within the advisory guidelines range to 21 months of imprisonment and three years of supervised release. Holt argues that her sentence is substantively unreasonable because the district court failed to consider the

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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nature and circumstances of the offense. She contends that her attempt to self-surrender to law enforcement received insufficient weight and warranted a more lenient sentence.

Because Holt did not object to the reasonableness of her sentence, we review for plain error only. *United States v. Peltier*, 505 F.3d 389, 391-92 (5th Cir. 2007). To show plain error, Holt must show a forfeited error that is clear or obvious and that also affects her substantial rights. *Puckett v. United States*, 556 U.S. 129, 135 (2009). If she makes such a showing, this court has discretion to correct the error only if it seriously affects the fairness, integrity, or public reputation of judicial proceedings. *Id.*

The record reflects that the district court considered all of the mitigating factors and arguments for leniency but concluded that a within-guidelines sentence was appropriate under the circumstances and in light of the 18 U.S.C. § 3553(a) factors. *See United States v. Rodriguez*, 523 F.3d 519, 525 (5th Cir. 2008). Holt has not shown that the district court committed substantive error, plain or otherwise, in determining her sentence. *See Gall v. United States*, 552 U.S. 38, 51 (2007).

AFFIRMED.