

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

No. 19-10598
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 25, 2020

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff–Appellee,

v.

ANTONNYER DERREL MORRISON, also known as Tony,

Defendant–Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:18-CR-480-1

Before OWEN, Chief Judge, and SOUTHWICK and WILLETT, Circuit Judges.

PER CURIAM:*

Antonnyer Derrel Morrison appeals the 60-month upward departure sentence he received after pleading guilty to interfering with commerce by robbery and aiding and abetting. Morrison contends that his sentence is substantively unreasonable. We affirm.

Morrison’s 60-month sentence is substantively reasonable. *See Gall v. United States*, 552 U.S. 38, 51 (2007); *United States v. Key*, 599 F.3d 469, 475

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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(5th Cir. 2010). Contrary to Morrison's assertion, the district court considered his arguments for a within-guidelines sentence but ultimately found them unavailing. Morrison's disagreement with the district court's balancing of the 18 U.S.C. § 3553(a) factors is not grounds for vacating his upward departure sentence. *See Gall*, 552 U.S. at 51.

The judgment is AFFIRMED.