

United States Court of Appeals  
for the Fifth Circuit

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No. 23-40479  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**  
March 5, 2024  
Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

JUAN CARLOS FLORES,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 1:22-CR-147-2

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Before KING, HAYNES, and GRAVES, *Circuit Judges.*

PER CURIAM:\*

Juan Carlos Flores appeals from the 63-month sentence of imprisonment imposed following his guilty plea conviction for possession with intent to distribute 25.9 grams of cocaine base. He argues that the district court erred by denying his request for a downward variance and

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\* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

No. 23-40479

imposing a within-guidelines sentence despite his advanced age and poor health.

We review the substantive reasonableness of the sentence for abuse of discretion. *United States v. Hernandez*, 876 F.3d 161, 166 (5th Cir. 2017). Flores has failed to rebut the presumption of reasonableness by showing that the district court considered an improper factor, failed to consider a relevant factor, or committed clear error of judgment in balancing the 18 U.S.C. § 3553(a) factors. *See Hernandez*, 876 F.3d at 166. His appellate arguments amount to a mere disagreement with the weight that the district court afforded to his mitigating arguments and his displeasure with the sentence imposed, which is insufficient to support his contention that the sentence was unreasonable. *See United States v. Ruiz*, 621 F.3d 390, 398 (5th Cir. 2010). Flores is essentially asking us to reweigh the § 3553(a) factors, which we may not do. *See Hernandez*, 876 F.3d at 167.

Accordingly, the district court's judgment is AFFIRMED.