

# United States Court of Appeals for the Fifth Circuit

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No. 24-60046  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

September 9, 2024

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

REGINALD SIMPSON,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Northern District of Mississippi  
USDC No. 3:22-CR-134-1

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Before WIENER, HO, and RAMIREZ, *Circuit Judges.*

PER CURIAM:\*

Defendant-Appellant Reginald Simpson appeals the sentence imposed following his guilty-plea conviction for possession of a firearm by a felon in violation of 18 U.S.C. § 922(g)(1). He contends that his within-guidelines sentence of 120 months is substantively unreasonable.

Because Simpson preserved his challenge to the substantive

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

No. 24-60046

reasonableness of his sentence, our review is for abuse of discretion. *See Holguin-Hernandez v. United States*, 589 U.S. 169, 174–75 (2020). A properly calculated sentence within the guidelines range is presumptively reasonable. *United States v. Jenkins*, 712 F.3d 209, 214 (5th Cir. 2013). The only way that this presumption may be rebutted is if the appellant can demonstrate that the sentence does not account for a factor that should receive significant weight, gives significant weight to an irrelevant or improper factor, or represents a clear error of judgment in balancing the sentencing factors. *Id.*

The record demonstrates that the district court considered Simpson’s mitigation arguments and the § 3553(a) factors, including the context of his offense. Simpson has not rebutted the presumption that his within-guidelines sentence is reasonable. *See id.*

**AFFIRMED.**