

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

United States Court of Appeals
Fifth Circuit

FILED

August 22, 2014

Lyle W. Cayce
Clerk

No. 13-10929
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JOHN WILLIAM STURM,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 7:04-CR-8-1

Before SMITH, WIENER, and ELROD, Circuit Judges.

PER CURIAM:*

Defendant-Appellant John William Sturm appeals the 24-month sentence imposed on revocation of his term of supervised release. Sturm argues that the sentence is procedurally unreasonable because the district court failed adequately to explain its reasons for the sentence imposed, impairing our ability to review the reasons for his sentence. He also argues that the sentence is substantively unreasonable because the district court

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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failed to account for several sentencing factors that should have received significant weight.

Sturm did not object in the district court to the adequacy of its reasons for the sentence or to the reasonableness of the sentence imposed, so our review is for plain error. *See United States v. Whitelaw*, 580 F.3d 256, 259-60 (5th Cir. 2009). To establish plain error, an appellant must show a forfeited error that is clear or obvious and that affects his substantial rights. *Puckett v. United States*, 556 U.S. 129, 135 (2009). If he makes this showing, we have the discretion to correct the error but will do so only if it seriously affects the fairness, integrity, or public reputation of judicial proceedings. *Id.* Making a showing of reversible plain error “is difficult, as it should be.” *Puckett*, 556 U.S. at 135 (internal quotation marks omitted).

Sturm has not made such a showing as to either alleged error. Accordingly, the judgment is AFFIRMED.