

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

United States Court of Appeals  
Fifth Circuit

**FILED**

February 25, 2011

Lyle W. Cayce  
Clerk

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No. 10-40076  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JOSE CASTANEDA CASTILLO,

Defendant-Appellant

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 5:09-CR-300-1

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Before REAVLEY, DENNIS, and CLEMENT, Circuit Judges.

PER CURIAM:\*

Jose Castaneda Castillo appeals the 51-month sentence imposed in connection with his guilty plea conviction for illegal reentry. He argues that his sentence is unreasonable because it is greater than necessary to meet the sentencing goals of 18 U.S.C. § 3553(a). Specifically, Castaneda Castillo contends that the 16-level enhancement for his prior alien smuggling offense resulted in an excessive sentence in his case.

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\* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

No. 10-40076

Castaneda Castillo's sentence is at the low end of the properly calculated guideline range and is presumptively reasonable. *See United States v. Alonzo*, 435 F.3d 551, 554 (5th Cir. 2006). The district court considered Castaneda Castillo's arguments and gave specific reasons for rejecting them, tied to proper 18 U.S.C. § 3553(a) factors, and Castaneda Castillo has not rebutted the presumption that the sentence was reasonable. *See United States v. Coos*, 589 F.3d 173, 186 (5th Cir. 2009), *cert. denied*, 130 S. Ct. 1930 (2010). Castaneda Castillo has not demonstrated that the district court's imposition of a 51-month sentence was an abuse of discretion. *See United States v. Campos-Maldonado*, 531 F.3d 337, 339 (5th Cir. 2008).

The judgment of the district court is AFFIRMED.