

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

United States Court of Appeals
Fifth Circuit

FILED

November 15, 2010

Lyle W. Cayce
Clerk

No. 10-50005
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

LILIANA MARIA LOPERA-BALVIN, also known as Liliana Lopera,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 3:09-CR-2411-1

Before REAVLEY, DENNIS, and CLEMENT, Circuit Judges.

PER CURIAM:*

Liliana Maria Lopera-Balvin was convicted of one count of illegal reentry into the United States, and the district court sentenced her to serve 60 months in prison and a three-year term of supervised release. In this appeal, she argues that her within-guidelines sentence is unreasonable because it exaggerates the severity of her offense and her criminal history. Additionally, she argues that the sentence is unreasonable and should be vacated because the district court failed to account for her personal characteristics, including her familial ties to

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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this country and her reasons for reentering, when sentencing her and because the sentence is greater than necessary to achieve the sentencing goals of 18 U.S.C. § 3553(a).

We review the sentence imposed for an abuse of discretion. *Gall v. United States*, 552 U.S. 38, 51 (2007). The district court carefully considered all of the sentencing factors in § 3553 and Lopera-Balvin's arguments for a below-guidelines sentence. Lopera-Balvin's arguments concerning the reasonableness of her sentence amount to a disagreement with the district court's weighing of the § 3553 sentencing factors and the appropriateness of the within-guidelines sentence imposed. Lopera-Balvin has not demonstrated that the district court abused its discretion. *See United States v. Gomez-Herrera*, 523 F.3d 554, 565-66 (5th Cir.), *cert. denied*, 129 S. Ct. 624 (2008); *United States v. Rodriguez*, 523 F.3d 519, 526 (5th Cir. 2008). And she has failed to rebut the presumption of reasonableness that attaches to her within-guidelines sentence. *See United States v. Campos-Maldonado*, 531 F.3d 337, 388 (5th Cir. 2008). The judgment of the district court is AFFIRMED.