

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

July 12, 2024

Lyle W. Cayce
Clerk

No. 23-50590
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

FIDEL REZA-MACEDO,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 2:22-CR-2307-1

Before JONES, SOUTHWICK, and HO, *Circuit Judges*.

PER CURIAM:*

Fidel Reza-Macedo appeals the 46-month term of imprisonment imposed following his guilty plea conviction to illegal reentry into the United States. We review the substantive reasonableness of the sentence for abuse of discretion. *See United States v. Hernandez*, 876 F.3d 161, 166 (5th Cir.

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

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2017). Because Reza-Macedo's sentence was within a properly calculated guidelines range, it is presumptively reasonable. *See id.*

On appeal, Reza-Macedo argues that illegal reentry is little more than an international trespass, that U.S.S.G. § 2L1.2 double counted his criminal record, and that his advisory imprisonment range under the Guidelines therefore overstated his dangerousness and the seriousness of his offense. We have rejected similar claims previously. *See United States v. Cordova-Lopez*, 34 F.4th 442, 444-46 (5th Cir. 2022); *United States v. Juarez-Duarte*, 513 F.3d 204, 212 (5th Cir. 2008). Because Reza-Macedo has not rebutted the presumption of reasonableness that attached to his within-guidelines sentence, he has failed to demonstrate that his sentence is substantively unreasonable. *See Hernandez*, 876 F.3d at 167.

Accordingly, the district court's judgment is AFFIRMED.