

January 26, 2007

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 06-30588  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JEROME ROBERTS,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Eastern District of Louisiana  
USDC No. 2:03-CR-188  
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Before REAVLEY, WIENER and DENNIS, Circuit Judges.

PER CURIAM:\*

Jerome Roberts appeals the district court's revocation of his supervised release and imposition of a term of imprisonment. See 18 U.S.C. § 3583(g). He argues that the district court erred in not imposing substance-abuse treatment pursuant to 18 U.S.C. § 3583(d) in lieu of incarceration. Roberts committed several violations of the conditions of his supervised release. Failure of a drug test was but one of those violations. Moreover, the district court considered but rejected the available treatment options. See § 3583(d). Accordingly, there was no error in the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

district court's revocation of supervised release and imposition of a term of imprisonment. Roberts' 24-month sentence did not exceed the statutory maximum. See 18 U.S.C. § 3583(e)(3). His revocation sentence was therefore neither "unreasonable" nor "plainly unreasonable." See United States v. Hinson, 429 F.3d 114, 120 (5th Cir. 2005), cert. denied, 126 S. Ct. 1804 (2006).

AFFIRMED.