

November 15, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-20750
Summary Calendar

UNITED STATES OF AMERICA

Plaintiff - Appellant

v.

TONY RYDELL CHATMON

Defendant - Appellee

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:05-CR-327-ALL

Before KING, HIGGINBOTHAM, and GARZA, Circuit Judges.

PER CURIAM:*

Tony Rydell Chatmon pleaded guilty to transporting an undocumented alien for private financial gain; he was sentenced to 21 months of imprisonment and a two-year term of supervised release. Chatmon appeals the two-year term of imprisonment imposed following the revocation of his term of supervised release.

Chatmon argues that the sentence imposed by the district court was unreasonable. Although the two-year term of imprisonment imposed upon revocation of Chatmon's supervised

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

release exceeded the sentencing range indicated by the policy statements in Chapter Seven of the United States Sentencing Guidelines, it did not exceed the statutory maximum term of imprisonment that the district court could have imposed. See 18 U.S.C. § 3583(e)(3). Accordingly, Chatmon's revocation sentence was 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). Chatmon has not shown error.

AFFIRMED.