

November 27, 2006

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 05-41564  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ROLANDO VILLANUEVA-GARCIA,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 6:05-CR-23-ALL  
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Before DAVIS, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Rolando Villanueva-Garcia (Villanueva) appeals the sentence he received after he pleaded guilty to illegal reentry subsequent to deportation, in violation of 18 U.S.C. § 1326. Villanueva's argument that the district court failed to articulate oral and written reasons for its upward departure from the guidelines range of imprisonment does not amount to plain error. See United States v. Olano, 507 U.S. 725, 732-34 (1993); United States v. Zuniga-Peralta, 442 F.3d 345, 347 (5th Cir.), cert. denied, 126 S. Ct. 2954 (2006). Nor does his argument that the extent of

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

the departure was unreasonable show plain error. See Olano, 507  
U.S. at 732-34; Zuniga-Peralta, 442 F.3d at 347.

AFFIRMED.