

October 30, 2006

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 06-50289  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RICHARD CLARK,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 5:03-CR-00626  
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Before SMITH, WIENER, and OWEN, Circuit Judges.

PER CURIAM:\*

Richard Clark appeals the 51-month sentence imposed following a remand for resentencing in light of United States v. Booker, 543 U.S. 220 (2005). Clark pleaded guilty to possession of child pornography. He contends that his sentence was unreasonable in light of the factors set forth in 18 U.S.C. § 3553(a). Clark contends that the district court imposed an unreasonable sentence by failing to give appropriate consideration to his attempts at obtaining treatment before his incarceration and his inability to obtain treatment in prison.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Clark's sentence was within a properly calculated advisory guideline range and is presumed reasonable. See United States v. Alonzo, 435 F.3d 551, 554 (5th Cir. 2006). Such a sentence is given "great deference," and we infer that the sentencing court considered all the factors for a fair sentence. See United States v. Smith, 440 F.3d 704, 707 (5th Cir. 2006). We conclude that Clark has failed to rebut the presumption that his sentence, which was at the bottom of the applicable range under the Sentencing Guidelines, was reasonable. See Alonzo, 435 F.3d at 554-55. Consequently, the judgment of the district court is AFFIRMED.