

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

November 26, 2007

Charles R. Fulbruge III
Clerk

No. 07-30147
Summary Calendar

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

REBECCA ANNETTE EVANS

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 5:06-CR-50146-1

Before JONES, Chief Judge, and HIGGINBOTHAM and CLEMENT, Circuit Judges.

PER CURIAM:*

Rebecca Annette Evans appeals her sentence following a guilty plea to mail theft and to two counts of mail fraud. The district court deviated from the sentencing guidelines range of 12 to 18 months and sentenced Evans to concurrent 36-month terms of imprisonment as to each count. Evans argues that her sentence is unreasonable because it is based on the district court's

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

“generalized disenchantment” with the Sentencing Guidelines rather than on specific facts relevant to Evans and her offense.

To the contrary, the record shows that the deviation from the Guidelines was based on the district court’s consideration of the nature and circumstances of the offense, Evans’s personal history and characteristics, the need to deter Evans from future criminal conduct, and the need to provide just punishment for the offense. See 18 U.S.C. § 3553(a). Accordingly, we conclude that Evans’s non-guidelines sentence was reasonable and that the extent of the deviation from the Guidelines was within the discretion of the district court. *United States v. Smith*, 440 F.3d 704, 706 (5th Cir. 2006); *United States v. Armendariz*, 451 F.3d 352, 358-59 & 358 n.5 (5th Cir. 2006).

AFFIRMED.