

May 15, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-30548
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

KEVIN RAY HOWARD,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 2:03-CR-20053

Before HIGGINBOTHAM, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

Kevin Ray Howard pleaded guilty to an indictment charging him with being a felon in possession of a firearm. Howard was sentenced to an 84-month term of imprisonment and to a three-year period of supervised release. Howard gave timely notice of his appeal.

Howard contends that the district court's sentence was not reasonable because it was two times longer than the maximum sentence under the advisory guideline range and because it is not

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

supported by the district court's stated reasons. After United States v. Booker, 543 U.S. 220 (2005), appellate courts ordinarily review sentences for reasonableness. United States v. Smith, 440 F.3d 704, 706 (5th Cir. 2006). The district court's reasons for imposing a non-Guideline sentence did not fail to account for a significant factor or give significant weight to an irrelevant or improper factor. See id. at 708. The sentence did not represent a "clear error of judgment in balancing the sentencing factors." See id. Accordingly, the judgment is AFFIRMED.