

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 14-15440
Non-Argument Calendar

D.C. Docket No. 1:14-cr-20380-BB-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

HENSEL JOSEPH,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Florida

(August 10, 2015)

Before WILLIAM PRYOR, JILL PRYOR and BLACK, Circuit Judges.

PER CURIAM:

Hensel Joseph appeals his 46-month sentence, imposed after pleading guilty to bank robbery and attempted bank robbery, in violation of 18 U.S.C. § 2113(a). Joseph argues the district court erred because (1) the two-level enhancement imposed under U.S.S.G. § 2B3.1(b)(1) for taking the property of a financial institution constituted impermissible double counting, and (2) his sentence was substantively unreasonable. After review,¹ we affirm.

As Joseph acknowledges in his initial brief, our precedent forecloses Joseph's double-counting argument. *See United States v. Dudley*, 102 F.3d 1184, 1186–87 (11th Cir. 1997) (holding a district court does not err in a bank-robbery case when it imposes a two-level enhancement under § 2B3.1(b)(1) for taking the property of a financial institution.) The district court did not abuse its discretion in sentencing Joseph to 46 months of imprisonment. The district court imposed the sentence at the minimum of Joseph's guidelines range. *See United States v. Asante*, 782 F.3d 639, 648 (11th Cir. 2015) (“[W]e ordinarily expect a sentence within the Guidelines ranges to be reasonable.”) (quotation omitted). The district court considered the sentencing factors in 18 U.S.C. § 3553(a). While acknowledging his unique immigration status and medical

¹ We review de novo claims of double counting under the Sentencing Guidelines. *United States v. Webb*, 665 F.3d 1380, 1382 (11th Cir. 2012). We review the substantive reasonableness of a sentence for abuse of discretion. *Gall v. United States*, 552 U.S. 38, 41 (2007).

history, the district court noted those reasons did not justify his commission of six bank robberies.

For the foregoing reasons, we affirm Joseph's sentence.

AFFIRMED.