

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 10-15021
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT JUNE 14, 2011 JOHN LEY CLERK
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D.C. Docket No. 8:10-cr-00295-RAL-TBM-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MARK STEPHEN CARRON,

Defendant-Appellant,

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

(June 14, 2011)

Before PRYOR, MARTIN and ANDERSON, Circuit Judges.

PER CURIAM:

Mark Stephen Carron appeals his sentence of 96 months of imprisonment for possessing a firearm as a convicted felon. 18 U.S.C. § 922(g)(1). Carron argues that his sentence is unreasonable. We affirm.

Carron's sentence is reasonable. Carron was convicted previously of possessing a firearm as a convicted felon and, as the district court found, received a "tremendous break" by being sentenced to 6 months of imprisonment and 24 months of supervised release. Four months after he completed that sentence, police officers found Carron in possession of burglary tools, tactical vests and equipment, and "some very serious weapons," including four semi-automatic handguns, a pipe bomb, and seven improvised explosive devices. The district court reasonably determined that the guideline range of 70 to 87 months of imprisonment failed to address adequately Carron's decision to "do the same thing" on a "more egregious scale," and that an upward variance was necessary to address the seriousness of Carron's offense, his disregard for the law, and his recidivism, and to provide a just punishment and protect the public. 18 U.S.C. § 3553(a). The district court did not abuse its discretion by sentencing Carron to a term of imprisonment nine months above the top of the guideline range and well below the statutory maximum term of 120 months of imprisonment.

Carron's sentence is **AFFIRMED**.