

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 16-17620
Non-Argument Calendar

D.C. Docket No. 1:09-cr-20587-MGC-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ANTWAN SMITH,

Defendant-Appellant.

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

(March 28, 2017)

Before WILSON, MARTIN, and ANDERSON, Circuit Judges.

PER CURIAM:

Antwan Smith served 70 months of imprisonment for possessing a firearm and ammunition after a felony conviction, and possessing heroin. His sentence included a three-year term of supervised release. Although he violated his supervised release by testing positive for use of controlled substances several times, the Court demonstrated leniency by sentencing him to time-served and warning him that it was his last chance. Smith disregarded that warning and violated his supervised release again by driving with a suspended license, failing to timely notify his probation officer about two arrests, and failing to attend all of his required treatment programs. He appeals the 11-month within-guideline sentence that he received for this second violation, arguing that it is substantively unreasonable. Smith's sentence is substantively reasonable in light of the totality of the circumstances. It is not "outside the range of reasonable sentences dictated by the facts in the case." *United States v. Irey*, 612 F.3d 1160, 1190 (11th Cir. 2010) (en banc) (internal quotation marks omitted).

AFFIRMED.