

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 18-13554
Non-Argument Calendar

D.C. Docket No. 1:18-cr-00039-MHC-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RASHADI ANDRE WEARING,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Georgia

(December 21, 2018)

Before JORDAN, JILL PRYOR, and ANDERSON, Circuit Judges.

PER CURIAM:

Rashad Wearing (whose name is misspelled in the style of the case) challenges, as substantively unreasonable, the seven-month sentence the district court imposed for his violation of supervised release. Reviewing for abuse of

discretion, *see Gall v. United States*, 552 U.S. 38, 41 (2007), we affirm. First, the violations included several positive tests for the use of marijuana, several instances of failure to report for drug screens, and extending an out-of-district trip without the authorization of the probation office. As the district court explained, there was a “consistent pattern of issues.” D.E. 12 at 56. Second, the sentence was within the advisory guidelines ranges of seven to thirteen months. Third, the district court considered mitigating factors, such as the length of Mr. Wearing’s original sentence. Fourth, the district court believed that a term of imprisonment was necessary to reflect the seriousness of the violations and to provide deterrence. *See* D.E. 12 at 70.

AFFIRMED.*

* We are issuing a brief opinion given the expedited nature of the appeal.