

United States Court of Appeals
Fifth Circuit

FILED

December 14, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 05-30635

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CHARLES G. BOUDREAUX, IV,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Louisiana, Lafayette
USDC No. 6:04-CR-60015-ALL

Before REAVLEY, STEWART and CLEMENT, Circuit Judges.

PER CURIAM:*

The sentence of Charles Boudreaux is affirmed for the following reasons:

1. The district judge gave full consideration to the evidence of the

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

offense, the presentence report, the sentencing guidelines, and the factors stated in Section 3553. Despite the strong argument of appellant's briefs, we do not read the judge to base the sentence on the defendant's privileged circumstances. Boudreaux assisted and counseled undercover agents posing as investors on how to launder money which he believed to be the proceeds of illegal activity. That is a very serious course of conduct. The judge decided, with good reason, that – with Boudreaux's personal background and circumstances – the explanation for the offense was not need or lack of understanding of propriety but pure unrestrained greed. We see no error or unreasonableness in the judge's decision.

2. The Government did not violate the plea agreement when it presented to the court accurate information bearing on defendant's conduct.
3. Any failure to give the defendant advance notice of the ground being contemplated for the sentence, pursuant to Rule 32(h), was not plain error.

AFFIRMED.