

United States Court of Appeals
Fifth Circuit

FILED

February 6, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-40424
c/w 05-40448
Summary Calendar

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

RAUL ALFREDO GONZALEZ

Defendant - Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 5:00-CR-553-2

Before KING, DeMOSS and PRADO, Circuit Judges.

PER CURIAM:*

Raul Alfredo Gonzalez appeals the 18-month sentence imposed upon revocation of the supervised release term imposed when he was sentenced on his escape conviction. He argues that the 18-month sentence exceeds the statutory maximum under United States v. Booker, 125 S. Ct. 738 (2005), Blakely v. Washington, 124 S. Ct. 2531 (2004), and Apprendi v. New Jersey, 530 U.S. 466 (2000).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Booker left intact the statutory provisions governing supervised release. United States v. Hinson, 429 F.3d 114, 117-18 (5th Cir. 2005). The principles of Apprendi and Blakely, as developed in Booker, do not apply to revocations of supervised release. See id. at 118-19. Gonzalez's 18-month sentence was neither unreasonable nor plainly unreasonable, as it did not exceed the statutory maximum term of imprisonment of two years. See id. at 120; 18 U.S.C. § 3583(e)(3).

AFFIRMED.