

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT **United States Court of Appeals
Fifth Circuit**

FILED

No. 06-50744
Summary Calendar

September 28, 2007

Charles R. Fulbruge III
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

JHANTEL RUTH CROCKER,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 6:05-CR-239-2

Before WIENER, GARZA, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Jhantel Ruth Crocker appeals the district court's imposition of consecutive 60-month sentences for her guilty-plea convictions of possession with intent to distribute at least 50 grams of a substance containing methamphetamine and conspiracy to distribute at least 50 grams of a substance containing methamphetamine. She does not challenge a concurrent 108-month sentence for distribution of an unspecified quantity of methamphetamine. Crocker asserts that the district court's imposition of consecutive sentences was unreasonable

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

and that the court failed to explain the reason for the consecutive sentences in light of the factors listed in 18 U.S.C. § 3553(a).

Crocker did not challenge the imposition of consecutive sentences in the district court either at or after sentencing, and review is for plain error. See *United States v. Castillo*, 430 F.3d 230, 241-42 (5th Cir. 2005). The district court imposed mandatory minimum sentences of 60 months on the two pertinent counts, then ran them consecutively to each other in order to obtain a sentence of 120 months, in the middle of the applicable advisory guideline range. Crocker cannot establish that the imposition of consecutive sentences was error or that any such error affected her substantial rights. See *United States v. Olano*, 507 U.S. 725, 732 (1993); *United States v. Candia*, 454 F.3d 468, 472-73 (5th Cir. 2006). Consequently, the judgment of the district court is AFFIRMED.