

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

June 29, 2009

No. 08-51129
Summary Calendar

Charles R. Fulbruge III
Clerk

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

CARLOS MANUEL RODRIGUEZ

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 3:08-CR-1104-ALL

Before JONES, Chief Judge, and DENNIS and HAYNES, Circuit Judges.

PER CURIAM:*

Carlos Manuel Rodriguez appeals the 151-month sentence imposed following his guilty plea to importing a quantity of marijuana greater than 50 kilograms and possessing with intent to distribute a quantity of marijuana greater than 50 kilograms. On appeal, Rodriguez argues that his sentence is substantively 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

This court reviews the substantive reasonableness of a sentence for an abuse of discretion. *Gall v. United States*, 128 S. Ct. 586, 597 (2007). “A discretionary sentence imposed within a properly calculated guidelines range is presumptively reasonable.” *United States v. Campos-Maldonado*, 531 F.3d 337, 338 (5th Cir.), *cert. denied*, 129 S. Ct. 328 (2008).

The district court articulated reasons for imposing a sentence within the applicable guideline range. Statements at Rodriguez’s sentencing hearing indicate that the district court considered the history and characteristics of Rodriguez and determined that the 151-month sentence was necessary to afford adequate deterrence to criminal conduct, to provide Rodriguez with needed vocational training, to provide Rodriguez with drug abuse treatment, to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment and deterrence from further crime. *See* 18 U.S.C. § 3553(a).

Accordingly, the judgment of the district court is AFFIRMED.