

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

No. 13-40132
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

January 13, 2014

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JOSE LUIS ZUNIGA-HERNANDEZ,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 1:11-CR-1019-1

Before HIGGINBOTHAM, DENNIS, and GRAVES, Circuit Judges.

PER CURIAM:*

Jose Luis Zuniga-Hernandez (Zuniga) appeals his 87-month, above-Guidelines sentences imposed for being found in the United States illegally and being an alien in possession of firearm. He argues only that the district court imposed unreasonable sentences by failing to explain adequately its reasons for the sentences imposed.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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A district court commits procedural error by “failing to adequately explain the chosen sentence[s]—including an explanation for any deviation[s] from the Guidelines range.” *Gall v. United States*, 552 U.S. 38, 51 (2007). However, because Zuniga did not object to the district court’s alleged failure during the sentencing hearing, we review only for plain error. *See United States v. Mondragon-Santiago*, 564 F.3d 357, 361 (5th Cir. 2009). Zuniga does not attempt to show, and therefore cannot succeed in showing, that the district court plainly erred by failing to explain adequately its reasons for imposing the sentences. *See Puckett v. United States*, 556 U.S. 129, 135 (2009).

AFFIRMED.