

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

No. 15-10661
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

February 29, 2016

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

ELICIO MENELAO TRIANA-HERRERA,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:15-CR-44-1

Before DAVIS, JONES, and GRAVES, Circuit Judges.

PER CURIAM:*

Elicio Menelao Triana-Herrera (Triana) pleaded guilty of unlawful use of a counterfeit alien registration document, and the district court varied upward from the guidelines imprisonment range in sentencing him to a 20-month term of imprisonment and to a three-year period of supervised release. Triana contends that the district court abused its discretion in overruling his objection to the substantive reasonableness of the above-guidelines sentence.

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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He asserts that the district court gave too much weight to remote and unscored prior convictions and inadequate consideration to his personal history and characteristics.

The district court's sentence did not unreasonably fail to reflect the statutory sentencing factors. *See United States v. Smith*, 440 F.3d 704, 708 (5th Cir. 2006). We will defer to the district court's determination of the appropriate sentence. *See United States v. Brantley*, 537 F.3d 347, 349 (5th Cir. 2008). The judgment is AFFIRMED.