

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

No. 16-60079
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

October 20, 2016

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

DONOVAN HICKMAN,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 4:04-CR-8-1

Before JONES, WIENER, and CLEMENT, Circuit Judges.

PER CURIAM:*

Donovan Hickman has appealed the above-guidelines statutory-maximum 24-month sentence of imprisonment imposed when his supervised release was revoked because of Hickman's alcohol abuse and law violations. Hickman contends that the reasons given for the sentence were inadequate.

Sentences imposed after revocation of supervised release are reviewed by this court under the plainly unreasonable standard of review. *United States*

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 16-60079

v. Winding, 817 F.3d 910, 913 (5th Cir. 2016). We ensure that “the district court committed no significant procedural error, such as failing to consider the [18 U.S.C.] § 3553(a) factors, selecting a sentence based on clearly erroneous facts, or failing to adequately explain the chosen sentence, including failing to explain a deviation from the Guidelines range.” *Id.* (quoting *United States v. Warren*, 720 F.3d 321, 326 (5th Cir. 2013)).

The record reflects that the district court made repeated efforts to help Hickman overcome his alcohol problem, which it regarded as the cause of his criminal behavior, and that Hickman continued to violate the court’s orders and conditions of his supervised release. The district court’s explanation for the statutory maximum sentence and its comments at prior hearings reflect that the court was motivated by the sentencing factors of deterrence and protection of the public. The sentence is not plainly unreasonable and is, therefore, AFFIRMED. *See Winding*, 817 F.3d at 913.