

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

United States Court of Appeals
Fifth Circuit

FILED

April 9, 2018

Lyle W. Cayce
Clerk

No. 17-10551
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

JAMES WILKS,

Defendant - Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:08-CR-106-1

Before BARKSDALE, OWEN, and WILLETT, Circuit Judges.

PER CURIAM:*

James Wilks challenges his above-Guidelines sentence of 18-months' imprisonment, imposed following revocation of his supervised release: he claims the sentence is "plainly unreasonable". Because he preserved the issue in district court, his challenge is reviewed under the above-referenced "plainly unreasonable" standard. *United States v. Warren*, 720 F.3d 321, 326 (5th Cir. 2013); *United States v. Miller*, 634 F.3d 841, 843 (5th Cir. 2011).

* Pursuant to 5th Cir. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th Cir. R. 47.5.4.

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Wilks contends the court refused to consider his personal history and characteristics. That assertion, however, is belied by the record: Wilks admitted violating six of the conditions of his supervised release. His claims essentially amount to a disagreement with the court's assessment of, *inter alia*, the 18 U.S.C. § 3553(a) sentencing factors, which we will not reweigh. *Gall v. United States*, 552 U.S. 38, 51 (2007). In short, Wilks fails to show his sentence is plainly unreasonable. *Miller*, 634 F.3d at 843; *United States v. Whitelaw*, 580 F.3d 256, 261–65 (5th Cir. 2009); *e.g.*, *United States v. Kippers*, 685 F.3d 491, 500–01 (5th Cir. 2012).

AFFIRMED.