

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

No. 18-11528
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED
July 22, 2019

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JACKSON EWING WRIGHT,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:18-CR-1-1

Before REAVLEY, DENNIS, and DUNCAN, Circuit Judges.

PER CURIAM:*

Jackson Ewing Wright appeals the 24-month above-range sentence imposed upon the revocation of his supervised release. Wright challenges the revocation sentence as procedurally erroneous and substantively unreasonable.

With respect to procedural error, Wright asserts that the allegations to which he pleaded true constituted Grade C violations that resulted in a

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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guidelines policy sentencing range of only five to 11 months. He argues here that the district court did not even consider that sentencing range because it believed an 18- to 24-month range to be applicable. A reading of the revocation transcript reflects that the district court understood the applicability of the lower sentencing range and varied upward from that range in sentencing Wright. It also reflects, contrary to Wright's argument here, that the district court considered the appropriate sentencing factors and adequately explained its decision to vary from the applicable guidelines range. *See* 18 U.S.C. §§ 3553(a), 3583; *United States v. Kippers*, 685 F.3d 491, 498 (5th Cir. 2012).

Substantively, the district court was permitted to impose a 24-month sentence. *See United States v. Davis*, 602 F.3d 643, 646 (5th Cir. 2010). Wright has not shown that the district court gave improper weight to any sentencing factor or clearly erred in its balancing. *See Gall v. United States*, 552 U.S. 38, 51 (2007).

Wright has failed to show that the sentence imposed by the district court was plainly unreasonable. *See United States v. Miller*, 634 F.3d 841, 843 (5th Cir. 2011). Accordingly, the judgment of the district court is AFFIRMED.