

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

October 21, 2025

Lyle W. Cayce
Clerk

No. 24-50716
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

LUIS RAMON MAGANA-MEDRANO,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 2:23-CR-505-1

Before SMITH, HIGGINSON, and WILSON, *Circuit Judges*.

PER CURIAM:*

Luis Magana-Medrano appeals the 92-month sentence imposed for his conviction of illegal reentry in violation of 8 U.S.C. § 1326. He contends that his upward-variant sentence, nearly double the high end of the guideline range, is substantively unreasonable; he complains that the district court gave insufficient weight to the guidelines and too much weight to aggravating

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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factors.

The record indicates that the district court considered the guidelines and the 18 U.S.C. § 3553(a) factors and chose to vary upwardly in light of Magana-Medrano's criminal and immigration history; that was within its discretion. *See United States v. Lopez-Velasquez*, 526 F.3d 804, 807 (5th Cir. 2008); 18 U.S.C. § 3553(a)(1). Magana-Medrano has not shown that the extent of the variance is unreasonable; it is similar to other variances we have upheld. *See United States v. Lopez-Velasquez*, 526 F.3d 804, 805, 807 (5th Cir. 2008); *United States v. Rhine*, 637 F.3d 525, 526, 528–30 (5th Cir. 2011).

Magana-Medrano has not demonstrated that the district court abused its discretion by failing to account for a factor that warranted significant weight or that it gave undue weight to an improper factor. *See United States v. Smith*, 440 F.3d 704, 708 (5th Cir. 2006); *see also Gall v. United States*, 552 U.S. 38, 51 (2007). We therefore defer to the district court's determination that the § 3553(a) factors, on the whole, warrant the variance. *See Gall*, 552 U.S. at 51.

AFFIRMED.