IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit
FILED
January 6, 2014
Lyle W. Cayce
Clerk

No. 13-60055
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

DAVID BEASLEY,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 2:10-CR-78-5

Before KING, DeMOSS, and GRAVES, Circuit Judges.

PER CURIAM:*

David Beasley pleaded guilty to conspiracy to commit wire fraud through a telemarketing scheme that victimized ten or more persons over the age of 55. Beasley was sentenced to 262 months of imprisonment. We vacated Beasley's sentence and remanded the case because the district court misapplied the Sentencing Guidelines. On remand, Beasley's advisory guidelines sentencing range was 168 to 210 months in prison. Within that range, the district court

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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sentenced Beasley to 210 months of imprisonment. Beasley now challenges the reasonableness of his 210-month sentence alleging that the district court failed to consider his post-sentence rehabilitation.

"A discretionary sentence imposed within a properly calculated guidelines range is presumptively reasonable." *United States v. Campos-Maldonado*, 531 F.3d 337, 338 (5th Cir. 2008). Here, the record reflects that the district court considered information regarding Beasley's post-sentence rehabilitation efforts. Beasley's "disagreement with the propriety of the sentence imposed does not suffice to rebut the presumption of reasonableness that attaches to his within-guidelines sentence." *United States v. Ruiz*, 621 F.3d 390, 398 (5th Cir. 2010).

AFFIRMED.