

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 18-13491
Non-Argument Calendar

D.C. Docket No. 1:18-cr-20164-JEM-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MIGUEL LOUREIRO,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Florida

(December 11, 2018)

Before MARTIN, JORDAN, and NEWSOM, Circuit Judges.

PER CURIAM:

The district court sentenced Miguel Loureiro to nine months of imprisonment following his guilty plea to a charge of conspiracy to take a migratory bird with the

intent to sell, offer, barter, or offer to barter such bird. *See* 18 U.S.C. § 371; 16 U.S.C. §§ 703, 707(b)(1). Mr. Loureiro contends that his sentence – which was three months above the top of the advisory sentencing guidelines range of zero to six months – was substantively unreasonable.

Reviewing the reasonableness of the sentence for abuse of discretion, *see Gall v. United States*, 552 U.S. 38, 46 (2007), we affirm. The factors district court relied on – the lack of remorse (Mr. Loureiro did not admit that he was trapping migratory birds for sale), the cruelty to one bird (Mr. Loureiro threw a bird against a wall and then “crucified” it), the lack of respect for the law (Mr. Loureiro was driving with a suspended license), and the need for deterrence (the district court believed that the advisory range was “insufficient for the deterrence effect”) – sufficed to support the three-month variance.

AFFIRMED.