

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

September 14, 2007

Charles R. Fulbruge III
Clerk

No. 06-50550
Summary Calendar

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

MANUEL GUARDIOLA

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 2:02-CR-92-6

Before REAVLEY, SMITH and BARKSDALE, Circuit Judges

PER CURIAM:*

Manuel Guardiola appeals from his conviction of conspiracy to possess with intent to distribute marijuana, conspiracy to import marijuana, conspiracy to possess with intent to distribute cocaine, and importation of cocaine. Guardiola contends that the district court erred by adjusting his offense level for obstruction of justice. Guardiola's 420-month sentence falls within the 360-month-to-life range that would have resulted had the district court not adjusted the offense level for obstruction of justice. The sentence is entitled to 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

presumption of reasonableness that Guardiola has failed to rebut. See *United States v. Medina-Argueta*, 454 F.3d 479, 483-84 (5th Cir. 2006).

AFFIRMED.