

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-21134
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

VERSUS

HECTOR HASSETTE,

Defendant-Appellant.

Appeal from the United States District Court
For the Southern District of Texas, Houston Division
(H-95-CR-142-44)

August 15, 2001

Before EMILIO M. GARZA, STEWART, and PARKER, Circuit Judges.

PER CURIAM:*

Hector Hassette appeals his sentence following his conviction. Hassette pleaded guilty to conspiracy to possess with intent to distribute in excess of 1000 kilograms of marijuana in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(vii), and 846. He argues that

*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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

the district court erred by increasing his offense level pursuant to United States Sentencing Guideline § 3B1.1(c) for his managerial role in the conspiracy. We have reviewed the record, the briefs of the parties, and the applicable law, and we discern no reversible error. Hassette's unsupported assertions of his lesser role in the conspiracy do not satisfy his burden of demonstrating with rebuttal evidence that the information contained in the presentence report was inaccurate. See *United States v. Alford*, 142 F.3d 825, 831-32 (5th Cir.), cert. denied, 525 U.S. 1003 (1998). The district court's decision to increase Hassette's offense level by two for his managerial role in the offense was not clearly erroneous. See *United States v. Barreto*, 871 F.2d 511, 512 (5th Cir. 1989).

AFFIRMED