

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 00-50181  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MIGUEL ROSAS-RAMIREZ,  
also known as Miguel G. Ramirez

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. SA-99-CR-394-1-HFG  
- - - - -

August 23, 2001

Before KING, Chief Judge, and POLITZ and PARKER, Circuit Judges.

PER CURIAM:\*

Miguel Rosas-Ramirez (Rosas) appeals his sentence from his guilty-plea conviction for illegal reentry after deportation in violation of 8 U.S.C. § 1326. For the first time on appeal, he argues that the district court erred by enhancing his offense level 16 points pursuant to U.S.S.G. § 2L1.2(b)(1)(A) based upon his Texas felony conviction for possession of less than 28 grams of cocaine.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

We have carefully reviewed the arguments and the appellate record. We conclude that the district court did not commit error, plain or otherwise, in applying U.S.S.G. § 2L1.2(b)(1)(A) to the calculation of Rosas's sentence. See United States v. Hinojosa-Lopez, 130 F.3d 691, 694 (5th Cir. 1997); United States v. Calverley, 37 F.3d 160, 162-64 (5th Cir. 1994)(en banc).

To the extent that Rosas argues that his criminal history erroneously included "state sentences imposed in violation of state law," the record reflects that the district court sustained this objection at sentencing.

AFFIRMED.