

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-10784

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JORGE A RAMIREZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
(3:01-CR-44-1-R)

September 17, 2002

Before REAVLEY, BARKSDALE, and CLEMENT, Circuit Judges.

PER CURIAM:*

We hold: (1) the evidence was sufficient to allow a reasonable juror to find Ramirez' statement that he would make the home he purchased through HUD his primary home for three years was false when made; (2) the district court did not commit reversible plain error by allowing the Government's examination of Agent Gilbert, who was called as an adverse witness by Ramirez; and (3) the district court did not commit clear error in assessing a two level enhancement for "more than minimal planning". Accordingly, the judgment is

AFFIRMED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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