

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-21077
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MIGUEL ROCHA,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-98-CR-412-1

May 22, 2002

Before REAVLEY, DAVIS and EMILO M. GARZA, Circuit Judges.

PER CURIAM:*

Miguel Rocha, federal prisoner number 03176-079, has appealed the district court's order dismissing his motion under 18 U.S.C. § 3582(c)(2) for a reduction in his sentence. Rocha was sentenced pursuant to a stipulated sentence under a FED. R. CRIM. P. 11(e)(1)(C) plea agreement. Because this sentence was imposed under Rule 11(e)(1)(C), Section 3582(c)(2) had no applicability.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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