

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-40924
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GARLAND WAYNE SAVAGE,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. L-95-CR-180-2

August 20, 2002

Before HIGGINBOTHAM, DAVIS, and PARKER, Circuit Judges.

PER CURIAM:*

Garland Wayne Savage appeals from the judgment revoking his probation and imposing a term of imprisonment to be followed by a term of supervised release. Savage contends that the district court impermissibly delegated to the probation officer the authority to determine his ability to pay the costs of drug or alcohol detection and treatment. The special condition in Savage's case "did not include an unlawful delegation of

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

authority to the probation officer." *United States v. Warden*,
291 F.3d 363, 365-66 (5th Cir. 2002).

AFFIRMED.