

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 01-50493  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JUAN CARLOS SERRANO,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. DR-00-CR-319-1  
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April 11, 2002

Before SMITH, DeMOSS, and PARKER, Circuit Judges.

PER CURIAM:\*

Juan Carlos Serrano appeals the sentence he received after he pleaded guilty to possessing and to importing less than 50 kilograms of marijuana. Serrano argues that the district court erred when it determined that four prior marijuana loads he confessed to importing prior to the instant offense constituted relevant conduct under U.S.S.G. § 1B1.3(a)(2). Given the degree of similarity in the modus operandi of the prior loads and the instant offense, the district court's determination that the prior loads were relevant conduct under § 1B1.3 is not error.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

United States v. Ocana, 204 F.3d 585, 589 (5th Cir.), cert. denied, 531 U.S. 880 (2000).

AFFIRMED.