

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-20143
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

STEVE MIDDLETON KEEL,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-00-CR-871-1

February 19, 2003

Before WIENER, EMILIO M. GARZA, and CLEMENT, Circuit Judges.

PER CURIAM:*

Steve Middleton Keel appeals his sentence for conspiracy to manufacture methamphetamine, arguing that he was entitled to a reduction in his offense level as a minor or minimal participant pursuant to U.S.S.G. § 3B1.2. He contends that he was entitled to the reduction for his mitigating role in the offense because he was less culpable than the other participants.

Keel was sentenced on the basis of conduct in which he was directly involved. The district court's determination that Keel

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

was not entitled to a reduction in his offense level for a minor or minimal role in the offense therefore was not clearly erroneous. See United States v. Garcia, 242 F.3d 593, 598-599 (5th Cir. 2001); United States v. Atanda, 60 F.3d 196, 199 (5th Cir. 1995).

AFFIRMED.