

October 24, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-20917
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JULIO CESAR VALLADARES,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:05-CR-247-3

Before JOLLY, DeMOSS, and STEWART, Circuit Judges.

PER CURIAM:*

Julio Cesar Valladares was convicted of conspiracy and harboring illegal aliens for private financial gain and sentenced to serve 18 months in prison and a three-year term of supervised release. Valladares argues on appeal that the district court erred by denying his request for an adjustment to his sentence based on his allegedly minor role in the offense.

Valladares contends that he was significantly less culpable than other participants in the underlying offense and that he should have received a corresponding reduction to his sentence.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

The district court's conclusion that Valladares was not entitled to this adjustment is plausible in light of the record as a whole. See United States v. Villanueva, 408 F.3d 193, 203 & n.9 (5th Cir.), cert. denied, 126 S. Ct. 268 (2005).

Valladares has shown no error in the district court's judgment. Consequently, that judgment is AFFIRMED.