

October 3, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-30145
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DORAL WILLIAMS,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 5:04-CR-50116

Before SMITH, GARZA, and PRADO, Circuit Judges.

PER CURIAM:*

Doral Williams appeals the 87-month prison sentence imposed after he pleaded guilty to being a felon in possession of a firearm. The sentence was increased under the now-advisory sentencing guidelines based on the district court's finding that Williams possessed the firearm in connection with the felony of illegal discharge of a firearm.

Williams fails to show that the district court plainly erred by applying the "preponderance" standard, or by finding that

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Williams illegally discharged the firearm, or by declining to conclude sua sponte that the discharge of the weapon was justified by self-defense. See United States v. Partida, 385 F.3d 546, 565 (5th Cir. 2004) (plain error review), cert. denied sub nom., Vigil v. United States, 125 S. Ct. 1616 (2005). The judgment of the district court therefore is

AFFIRMED