

June 14, 2007

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 06-10855  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ANTHONY WATKINS,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:06-CR-10-2  
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Before KING, HIGGINBOTHAM, and GARZA, Circuit Judges.

PER CURIAM:\*

Anthony Watkins appeals his sentence following his guilty plea conviction for possession with intent to distribute more than 500 grams of cocaine. Watkins argues that he was improperly sentenced based on a drug amount and type not specified in his indictment. He also argues that the district court improperly intimidated him into withdrawing this objection at sentencing.

Addressing Watkins's claim of improper intimidation first, we conclude that he has not shown any improper intimidation by the district court. The district court correctly explained that

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

by falsely denying his relevant conduct, Watkins was risking a finding that he had not fully accepted responsibility for his offense. See U.S.S.G. § 3E1.1, comment. (n.1(a)) (2005).

Because the record demonstrates that Watkins voluntarily withdrew his objection to the determination of his relevant conduct, we conclude that he has waived this issue on appeal. Waived objections are unreviewable on appeal. See United States v. Musquiz, 45 F.3d 927, 931-32 (5th Cir. 1995).

AFFIRMED.