

December 12, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 06-30219
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JASON RAKEL, also known as Jason David Rakel,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 5:05-CR-50079-2

Before KING, WIENER, and OWEN, Circuit Judges.

PER CURIAM:*

Jason Rakel appeals his conviction for conspiracy to distribute methamphetamine. For the first time on appeal, he argues that his guilty plea was not supported by a sufficient factual basis. We hold that Rakel's admitted purchase of 70.7 grams of methamphetamine in a two-week period is indicative of distribution, not personal use. Consequently, the district court did not plainly err in accepting his plea. See United States v. Palmer, 456 F.3d 484, 489, 492 (5th Cir. 2006).

AFFIRMED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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