

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-30712  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ROGER DALE ABRAHAM,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 94-CR-60054  
- - - - -

April 19, 1996

Before DUHÉ, DeMOSS, and DENNIS, Circuit Judges.

PER CURIAM:\*

Roger Dale Abraham appeals his sentence following conviction for six counts of mail fraud. Abraham contends that the district court erred in sentencing him by failing to depart downward, by finding that he committed an "intended loss," and, in the alternative, by miscalculating the amount of "intended loss" in determining his base offense level. Insofar as Abraham is arguing that the district court should have applied U.S.S.G. § 2F1.1, comment. (n.10) by departing downward, this court has no jurisdiction. See United States v. DiMarco, 46 F.3d 476, 477 (5th Cir. 1995).

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Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

The district court did not clearly err in determining the "intended loss" to be the face value of the fraudulent money orders.

AFFIRMED.