

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-10490  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

OBAHYKINA FULLER,  
also known as Jamie,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 7:95-CR-015-X  
- - - - -

August 14, 1997

Before KING, HIGGINBOTHAM, and DUHÉ, Circuit Judges.

PER CURIAM:\*

Obahykina Fuller appeals his conviction and sentence after pleading guilty to aiding and abetting the possession of cocaine base with intent to distribute within 1,000 feet of a playground. Fuller contends that he was denied the effective assistance of counsel at sentencing. Because the record is not developed on the merits of Fuller's ineffective-assistance-of-counsel

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

allegations, we decline to address them. See United States v. Navejar, 963 F.2d 732, 735 (5th Cir. 1992).

Fuller also contends that his sentence violated his constitutional equal protection and due process rights because the sentencing guidelines provide for a higher punishment for crack cocaine than for a like amount of powder cocaine. Fuller's argument is foreclosed by existing precedent. See United States v. Watson, 953 F.2d 895 (5th Cir. 1992).

AFFIRMED.