

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 96-30969  
Conference Calendar

---

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

TERRY QUINTON BOYLE, also known as  
Richard Lloyd Collins,

Defendant-Appellant.

- - - - -  
Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 96-CR-30003  
- - - - -

April 16, 1997

Before REAVLEY, DAVIS, and BARKSDALE, Circuit Judges.

PER CURIAM:\*

Terry Quinton Boyle pleaded guilty to conspiracy to possess with intent to distribute more than 500 grams of cocaine hydrochloride. Boyle appeals his sentence. He contends that the district court erred in determining that his prior robbery convictions constituted crimes of violence. He also contends that the district court imposed an excessive sentence by choosing

---

\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.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 high end of the Sentencing Guideline range.

A defendant is a career offender if he is at least 18 years old at the time of the instant offense; the instant offense is a felony that is either a crime of violence or a controlled substance offense; and he has at least two prior felony convictions of either a crime of violence or a controlled substance offense. U.S.S.G. § 4B1.1. Robbery is a "crime of violence." § 4B1.2, comment. (n.2). Boyle's sentence was not imposed in violation of the law, as a result of a misapplication of the Sentencing Guidelines, and is not "plainly unreasonable." United States v. DiMarco, 46 F.3d 476, 477 (5th Cir. 1995).

Boyle's sentence is AFFIRMED.