

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-41202
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

WINDY RAINEY,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 6:96-CR-9-2
- - - - -

April 29, 1997

Before Wisdom, King, and Smith, Circuit Judges,

PER CURIAM:*

Windy Rainey argues that the district court (1) erred in determining the drug quantity attributable to her under the sentencing guidelines and (2) erred in refusing to reduce her offense level under U.S.S.G. § 3B1.2 based on her minor role in the offense.

We have reviewed the record, including the presentence report, the briefs and the transcript of the sentencing hearing,

* The court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

and find that the district court's determination that Rainey was accountable for 250.20 grams of cocaine base was not clearly erroneous.¹ We further find that the district court did not err in refusing to make an adjustment for Rainey's role in the offense.²

AFFIRMED

¹ See United States v. Bermea, 30 F.3d 1539, 1575 (5th Cir.), *cert. denied*, 115 S. Ct. 1113, 1825 (1995).

² See United States v. Tremelling, 43 F.3d 148, 152-53 (5th Cir.), *cert. denied*, 115 S. Ct. 1990 (1995).