

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-11101
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

KENDALL ALLEN HADLEY,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:97-CR-58-2-A
- - - - -

June 16, 1998

Before DAVIS, PARKER, and DENNIS, Circuit Judges.

PER CURIAM:*

Kendall Allen Hadley appeals his sentence, contending that the district court erred by increasing his offense level pursuant to U.S.S.G. § 2D1.1(b)(1) for possession of a dangerous weapon in connection with a drug-trafficking offense. Hadley contends that the Government did not establish a sufficient nexus between the revolver and the drugs to warrant the increase.

The Government established a sufficient temporal and spatial relationship among the weapon, the drug-trafficking activity, and

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Hadley. U.S.S.G. § 2D1.1(b)(1), comment. (n.3); *United States v. Mitchell*, 31 F.3d 271, 277 (5th Cir. 1994). The presentence investigation report and the factual resume indicate that the revolver in question was found in the same general location where Hadley had conducted a sale of amphetamine four days prior to the seizure of the revolver, a scale, and some amphetamine. Hadley presented nothing to rebut this evidence. The district court did not clearly err. Hadley's sentence is AFFIRMED.

AFFIRMED.