

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-40814
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CLAY ROBERTSON,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. C-96-CV-154-1
- - - - -

April 8, 1998

Before JOLLY, JONES, and DUHÉ, Circuit Judges.

PER CURIAM:*

Clay Robertson appeals his sentence for conspiracy to possess marijuana with intent to distribute. Robertson argues that the district court erred in imposing a sentence adjustment for obstruction of justice pursuant to United States Sentencing Commission, Guidelines Manual, § 3C1.1. This argument was not raised before the district court. Having reviewed the record and the briefs of the parties, we AFFIRM. Based on the district court's adoption of the Presentence Investigation Report, we find that no plain error was committed. See United States v. Vital,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

68 F.3d 114, 120 (5th Cir. 1995); United States v. Lopez, 923
F.2d 47, 49 (5th Cir. 1991).

AFFIRMED.