

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-40836
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

TRAVIS SYNTEL BOONE,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:98-CR-119-1

June 16, 2000

Before JOLLY, DAVIS, and DUHÉ, Circuit Judges.

PER CURIAM:*

Travis Syntel Boone ("Boone") appeals his sentence following his guilty-plea conviction for possession of cocaine base with the intent to distribute. Boone asserts that the district court erred in determining the quantity of cocaine base attributable to him for sentencing purposes. Because Boone has failed to demonstrate that the information in the presentence report on which the district court relied is materially untrue, and because the district court's account of the evidence is plausible in light of the record viewed in its entirety, the district court

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

did not clearly err in attributing 65.98 grams of cocaine base to Boone for sentencing purposes. See United States v. Davis, 76 F.3d 82, 84-85 (5th Cir. 1996). Accordingly, the district court's judgment is AFFIRMED.