

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-50672
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RAYMOND FONSECA,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. SA-98-CR-97-ALL

August 21, 2000

Before JOLLY, SMITH, and DUHÉ, Circuit Judges.

PER CURIAM:¹

Raymond Fonseca challenges the district court's imposition of a sentencing enhancement under U.S.S.G. § 2K2.1(b)(5). He contends that the Government was required to show that the firearm facilitated or potentially facilitated his other felonious conduct in order to meet the "in connection with" requirement of § 2K2.1(b)(5). The Government was required to show only that the gun "was readily available to him" in the course of the other felony and that the weapon could have been used or possessed in connection with the other felony offense. United States v. Condren, 18 F.3d

¹ 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

1190, 1199-1200 (5th Cir. 1994); United States v. Armstead, 114 F.3d 504, 511 (5th Cir. 1997). We have reviewed the record and conclude that the court did not err in applying § 2K2.1(b)(5). Fonseca's sentence is therefore AFFIRMED.