

April 19, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-10321
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

WILLIE LEE THOMAS,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 6:04-CR-83-ALL

Before JOLLY, DENNIS, and CLEMENT, Circuit Judges.

PER CURIAM:*

Willie Lee Thomas appeals the four-year sentence that was imposed following the revocation of his term of supervised release. He argues for the first time in this appeal that his sentence is improper because it was based on the district court's erroneous belief that he qualified as a career offender under the Sentencing Guidelines. Thomas has not shown that the district court committed an obvious error that affected his substantial rights. See United States v. Valenzuela-Quevedo, 407 F.3d 728,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

732-33 (5th Cir.), cert. denied, 126 S. Ct. 267 (2005).

Consequently, he has shown no plain error in connection with his sentence. See id.

Thomas also argues that the district court should not have relied upon the presentence report (PSR) that was prepared in connection with his original offense. Because this claim was raised for the first time in Thomas's reply brief, we decline to consider it. See United States v. Avants, 367 F.3d 433, 449 (5th Cir. 2004). The judgment of the district court is AFFIRMED.