

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

July 8, 2009

No. 08-20731
Summary Calendar

Charles R. Fulbruge III
Clerk

VIRGIN MOBILE USA, L.L.C.

Plaintiff

v.

MUHAMMAD MUBI MUBASHIR

Defendant-Appellant

v.

UNITED STATES OF AMERICA

Appellee

Appeal from the United States District Court for the
Southern District of Texas, Houston
(4:06-CV-24440)

Before WIENER, STEWART, and CLEMENT, Circuit Judges..

PER CURIAM:*

Defendant-Appellant Muhammad Mubi Mubashir appeals his sentence imposed after being found guilty of criminal contempt of court in an underlying civil lawsuit, pursuant to 18 U.S.C. § 401(3). Mubashir contends that the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

sentencing court misapplied the guidelines by (1) committing a procedural error in the application of relevant conduct based on the Presentence Investigation Report, and (2) applying the guideline applicable to the closest “analogous offense” rather than relating back to the charge of criminal contempt.

We have reviewed all the applicable law and facts as revealed by the record on appeal and the briefs of the parties, and are convinced that the district court committed no reversible error. The judgment of the district court is, in all regards,

AFFIRMED.