

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

March 25, 2008

No. 06-40892
Summary Calendar

Charles R. Fulbruge III
Clerk

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

EDWIN T LIMBRICK

Defendant-Appellant

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:96-CR-54-2

Before STEWART, OWEN, and SOUTHWICK, Circuit Judges.

PER CURIAM:*

Edwin T. Limbrick, a federal prisoner, was convicted on several counts of conspiracy and obstruction of interstate commerce by attempted robbery and the use of a firearm in connection with the attempted robberies. He appeals the district court's denial of his motion for a reduction of his sentence pursuant to 18 U.S.C. § 3582(c)(2). He argues that retroactive amendments to U.S.S.G. § 2K2.4 entitle him to a lower sentencing range for his offenses.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Because none of the enhancements to his two obstruction-of-commerce offenses under 18 U.S.C. § 1951 required the involvement of a firearm, the amendments to U.S.S.G. § 2K2.4 are not relevant to Limbrick's sentence. Compare *United States v. Dixon*, 273 F.3d 636, 642-44 (5th Cir. 2001). Accordingly, Limbrick has shown no abuse of discretion in the district court's denial of his motion. *United States v. Pardue*, 36 F.3d 429, 430 (5th Cir. 1994).

AFFIRMED.