

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-10401
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ANDRES MARES REYNA, JR., also known as
Andres Mares Reyna,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:99-CR-260-1-E

December 13, 2000

Before DAVIS, STEWART, and PARKER, Circuit Judges.

PER CURIAM:*

Andres Mares Reyna, Jr., appeals the sentence imposed following his guilty plea to possession of cocaine with intent to distribute.

The Government contends that Reyna waived the right to appeal his sentence. Because the district court did not ensure that Reyna understood the plea agreement's waiver-of-appeal provision and its consequences, the provision is ineffective.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

United States v. Robinson, 187 F.3d 516, 518 (5th Cir. 1999);
Fed. R. Crim. P. 11(c)(6).

Reyna argues that the district court erred in denying him a reduction pursuant to U.S.S.G. § 3E1.1 for acceptance of responsibility. We perceive no error in the district court's denial of the reduction. See United States v. Flucas, 99 F.3d 177, 180 (5th Cir. 1996); United States v. Rickett, 89 F.3d 224, 226-27 (5th Cir. 1996).

AFFIRMED.