

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-50518
consolidated with
No. 01-50269
Lower Court #A-99-CR-290-2-SS

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOE ANTHONY GUERRERO,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas

December 13, 2001

Before JONES, EMILIO M. GARZA, and STEWART, Circuit Judges.

PER CURIAM:*

Appellant Guerrero contests the district court's decision denying in part his post-judgment motion to reduce his sentence pursuant to 18 U.S.C. § 3582(c)(2) based on Amendment No. 599 to the U.S. Sentencing Guidelines, which went into effect after his initial sentence. We have carefully considered his appeal in light

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

of the briefs and pertinent parts of the record. Having done so, we find no reversible error in the district court's interpretation of the Guidelines or exercise of its discretion to deny retroactive relief on the one-level weapons enhancement pursuant to U.S.S.G. §2B3.1(b)(6).

The judgment on Guerrero's motion is **AFFIRMED**.