

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-50783
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

LADON KENTRELL KING,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. W-00-CR-111-2

June 18, 2002

Before HIGGINBOTHAM, DAVIS, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Ladon Kentrell King ("King") appeals the sentencing following his jury conviction for possession with the intent to distribute crack cocaine. King argues that the district court erred in assessing a three level sentence enhancement pursuant to U.S.S.G. § 3A1.2(b).

This court reviews legal conclusions by the district court *de novo*, and the district court's findings of fact are reviewed

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

for clear error. See United States v. Ocana, 204 F.3d 585, 588 (5th Cir. 2000). The sentence adjustment was not clearly erroneous because King's actions of giving the gun to his co-defendant and instructing him to exit the vehicle with the gun caused a substantial risk of serious bodily injury when King's co-defendant subsequently pointed the firearm at the officers. See U.S.S.G. § 3A1.2(b); see also United States v. Ortiz-Granados, 12 F.3d 39, 41-43 (5th Cir. 1994).

For the foregoing reasons, King's sentence is AFFIRMED.