

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 02-30380  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DERRICK GRIFFIN,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Eastern District of Louisiana  
USDC No. 96-CR-113-4-S  
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December 11, 2002

Before JOLLY, DAVIS, and JONES, Circuit Judges.

PER CURIAM:\*

Derrick Griffin ("Griffin"), federal inmate #72682-079, appeals the district court's order denying his motion to modify his sentence pursuant to 18 U.S.C. § 3582(c)(2). Griffin argues that Amendment 599, which amends the Application Notes for U.S.S.G. § 2K2.4, resulted in a change to the applicable sentencing guidelines, entitling him to a modification of his sentence. Amendment 599 is inapplicable to this case. Griffin's

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

guideline sentencing range was computed under U.S.S.G. § 2D1.1, not U.S.S.G. § 2K2.4. Therefore, his claims are without merit. The district court's judgment is AFFIRMED.