

April 10, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-30894
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RHONDA RENEE ROTH,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Louisiana
(99-CR-20078-1)

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

PER CURIAM:*

Defendant-Appellant Rhonda Renee Roth pleaded guilty to theft of mail, a violation of 18 U.S.C. § 1708, and was sentenced to probation. Roth appeals her sentence following the district court's revocation of probation.

Roth contends that the district court's sentence of two years' imprisonment was plainly unreasonable. Roth has not shown that her sentence was illegal or unreasonable. See United States v. Pena, 125 F.3d 285, 287 (5th Cir. 1997). Roth also argues that

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

the district court erred by sentencing her in excess of her original guidelines sentencing range. This argument is, as she concedes, foreclosed by our precedent. See id.

The judgment of the district court is
AFFIRMED.