

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-50708
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SERGIO RICARDO AYALA-ZAVALA,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. EP-02-CR-315-ALL-DB

February 19, 2003

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

PER CURIAM:*

Sergio Ricardo Ayala-Zavala pleaded guilty to importing marijuana and to possession with intent to distribute marijuana and was sentenced to 50 months of imprisonment on each count to run concurrently, three years of supervised release on each count to run concurrently, and a \$200 special assessment. He argues that the district court erred in denying a reduction in his offense level for his minor role in the offense. The district court made necessary findings in denying the adjustment under

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

U.S.S.G. § 3B1.2 by adopting the presentence report. See United States v. Gallardo-Trapero, 185 F.3d 307, 323-24 (5th Cir. 1999).

The district court was not required to accept Ayala-Zavala's self-serving statements about his role in the offense. See United States v. Brown, 54 F.3d 234, 241 (5th Cir. 1995).

Because he acted as a courier for a single shipment of a large quantity of marijuana, the district court did not err in finding that he was not a minor participant. See United States v. Gallegos, 868 F.2d 711, 713 (5th Cir. 1989).

AFFIRMED.