

September 3, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 03-30059
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RENIFER JOHN MCFADDEN,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 02-CR-149-ALL

Before HIGGINBOTHAM, DAVIS, and PRADO, Circuit Judges.

PER CURIAM:*

Renifer John McFadden appeals from his sentence entered after a guilty plea conviction for possession of a firearm by a felon in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2) and for making a false statement as to a fact material to the lawfulness of the sale of a firearm in violation of 18 U.S.C. §§ 922(a)(6) and 924(a)(1)(B). He argues that the district court erred in denying

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

an offense level reduction for acceptance of responsibility under U.S.S.G. § 3E1.1. However, the district court provided several reasons supporting its doubt of McFadden's true acceptance of responsibility.¹ Giving great deference to the district court's decision to deny sentencing leniency under U.S.S.G. § 3E1.1, we AFFIRM.

¹ See *United States v. Solis*, 299 F.3d 420, 458 (5th Cir. 2002) ("While we generally review a district court's factual finding under the Guidelines for clear error, [a] district court's determination of whether a defendant is entitled to a reduction of his offense level for acceptance of responsibility is reviewed with even more deference than the pure clearly erroneous standard. As such, [w]e will affirm a sentencing court's decision not to award a reduction under U.S.S.G. § 3E1.1 unless it is without foundation." (footnote and internal quotation marks omitted)).