

April 8, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-41506
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JEROMY SHAWN HAMILTON,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 4:03-CR-106-2

Before JONES, BENAVIDES, and CLEMENT, Circuit Judges.

PER CURIAM:*

Jeromy Shawn Hamilton appeals the sentence that he received after he pleaded guilty to conspiracy to distribute and to possess with intent to distribute 500 grams or more of methamphetamine. 21 U.S.C. §§ 841(a), 846. Hamilton argues that the method used by the Drug Enforcement Agency's chemist for testing the purity level of the mixtures of methamphetamine was not sufficiently reliable. Hamilton's reliance on the chemist's testimony in another case is unavailing. Hamilton has failed to

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

show that the district court erred when it attributed 255.7 grams of Methamphetamine (actual) and 27.2 grams of "ice" to him. See United States v. Medina, 161 F.3d 867, 876 (5th Cir. 1998); United States v. Lowder, 148 F.3d 548, 552 (5th Cir. 1998).

AFFIRMED.