

December 9, 2003

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 03-50232  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MICHAEL HOUSTON ROBERSON,  
also known as Michael Renwick Houston,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. A-93-CR-109-2-JN  
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Before DAVIS, EMILIO M. GARZA, and DENNIS, Circuit Judges.

PER CURIAM:\*

Michael Roberson, federal prisoner no. 60656-080, appeals the denial of a motion to modify his sentence under 18 U.S.C. § 3582(c)(2). He relies on U.S.S.G., App. C, Amendment 528; but that amendment did not lower his guidelines sentencing range and thus provides no basis for relief. See United States v. Lightbourn, 115 F.3d 291, 292-93 (5th Cir. 1997) (explaining Amendment 528). The district court's decision is AFFIRMED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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