

January 30, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-50598
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ROLANDO RODRIGUEZ, MD, also known as
Rolando Rodriguez-Samaniego,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. P-02-CR-355-1

Before KING, Chief Judge, EMILIO M. GARZA and BENAVIDES, Circuit
Judges.

PER CURIAM:*

Rolando Rodriguez pleaded guilty to aiding and abetting the
possession of marijuana with intent to distribute. Rodriguez's
offense level was enhanced for obstruction of justice under
U.S.S.G. § 3C1.1. Rodriguez appeals the two-level enhancement.

The district court's factual finding of obstruction of
justice is plausible in light of the record as a whole. Thus,

* 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that this opinion should not be published and is not precedent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 obstruction finding was not clearly erroneous. See United States. v. Huerta, 182 F.3d 361, 364 (5th Cir. 1999).

The judgment of the district court is AFFIRMED.