

June 20, 2006

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 05-41103  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

PAUL DANA WILLIAMS, also known as Paul William Dana,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 4:91-CR-34-ALL  
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Before SMITH, GARZA, and PRADO, Circuit Judges.

PER CURIAM:\*

Paul Dana Williams, federal prisoner # 07339-051, appeals the denial of his 18 U.S.C. § 3582(c) motion for modification of sentence. He argues that retroactive Amendments 433, 506, and 591 to the Sentencing Guidelines coupled with the holding of United States v. Booker, 125 S. Ct. 738 (2005), affected the method by which U.S.S.G. § 4B1.1 (Career Offender) was applied to his kidnapping and firearms convictions.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Our review of Williams's sentencing reveals that none of the cited amendments have any application to the sentence the district court imposed. To the extent that Williams invokes Booker, such an argument is not cognizable in the context of a 18 U.S.C. § 3582(c)(2) motion because it is not based on a retroactive amendment to the Guidelines. See United States v. Shaw, 30 F.3d 26, 29 (5th Cir. 1994). In light of the foregoing, the district court did not abuse its discretion in denying the motion. See United States v. Pardue, 36 F.3d 429, 430 (5th Cir. 1994).

AFFIRMED.