

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

September 25, 2007

Charles R. Fulbruge III
Clerk

No. 06-20965
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

RICHARD HAMPSHIRE,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
No. 4:06-CR-196-ALL

Before REAVLEY, SMITH, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Richard Hampshire appeals the sentence imposed following his guilty plea conviction of escape in violation of 21 U.S.C. § 846. Hampshire contends the dis-

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

trict court erred in failing to reduce his base offense level by four pursuant to U.S.S.G. § 2P1.1(b)(3).

In *United States v. Shaw*, 979 F.2d 41 (5th Cir. 1992), this court affirmed the denial of a § 2P1.1(b)(3) adjustment to a defendant who walked away from a federal prison camp that was similar to the one from which Hampshire escaped. See *Shaw*, 979 F.2d at 42-43. Hampshire's argument that his case is factually distinguishable from *Shaw* is unavailing; he has failed to establish that the federal prison camp in which he was confined is similar to a community corrections center, community treatment center, or halfway house.

Accordingly, the district court did not err in refusing to reduce the sentence under § 2P1.1(b)(3). See *Shaw*, 979 F.2d at 45; *Ruiz*, 180 F.3d 675, 676 (5th Cir. 1998). The judgment of sentence is **AFFIRMED**.