

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

April 9, 2010

Lyle W. Cayce  
Clerk

\_\_\_\_\_  
No. 08-40489

Summary Calendar  
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UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

LUIS MARTINEZ-ROBLEDO, also known as El Maistro, also known as Luis Robledo-Martinez,

Defendant-Appellant

\_\_\_\_\_  
Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 7:07-CR-488-8  
\_\_\_\_\_

Before DAVIS, SMITH, and DENNIS, Circuit Judges.

PER CURIAM:\*

A jury convicted Luis Martinez-Robledo (Martinez) of conspiring to possess with intent to distribute more than five kilograms of cocaine, conspiring to launder monetary instruments, and aiding and abetting. *See* 21 U.S.C. §§ 841, 846; 18 U.S.C. § 1956. He appeals his sentence of 188 months of imprisonment.

Martinez maintains that the district court erred in imposing a two-level sentencing enhancement for obstructing justice by perjuring himself at trial.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

The district court considered various statements made by Martinez during his trial and concluded that the statements were false, that they pertained to material matters, and that they were willful and not prompted by confusion or misunderstanding. Because the court's findings established a factual predicate for finding perjury, the district court did not err in imposing the enhancement. *See United States v. Creech*, 408 F.3d 264, 270-71 (5th Cir. 2005); *United States v. Wild*, 92 F.3d 304, 308 (5th Cir. 1996).

AFFIRMED.