

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

United States Court of Appeals
Fifth Circuit

FILED

June 13, 2011

No. 10-41002

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

HECTOR MORENO GARZA,

Defendant - Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:10-CR-610-1

Before JOLLY and HAYNES, Circuit Judges, and RODRIGUEZ, District Judge.*

PER CURIAM:**

Having reviewed the record and the briefs and heard argument in this case, we conclude that the district court committed no reversible error in denying the safety-valve reduction of the Defendant's sentence under U.S.S.G. § 5C1.2.

AFFIRMED. *See* 5TH CIR. R. 47.6.

* District Judge of the Western District of Texas, sitting by designation.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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