

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

No. 12-31194
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

February 27, 2014

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

REGINALD D. LEE,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 5:11-CR-317-12

Before STEWART, Chief Judge, and JOLLY and SOUTHWICK, Circuit
Judges.

PER CURIAM:*

Reginald D. Lee appeals the sentence imposed following his guilty plea conviction for conspiracy to possess with intent to distribute five kilograms or more of cocaine. He argues on appeal that the district court erred by using his two prior convictions to enhance his criminal history score, which rendered him ineligible for application of the safety-valve provision. He contends that trial

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 12-31194

counsel for both of his prior state convictions failed to ensure that he was properly informed of the constitutional rights he was giving up by pleading guilty. His challenge is foreclosed under *United States v. Longstreet*, 603 F.3d 273, 277 (5th Cir. 2010).

Accordingly, the judgment of the district court is AFFIRMED.