

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 92-8437
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JERRY WILLIAMSON,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. W-91-CR-38-6
- - - - -

June 23, 1993

Before POLITZ, Chief Judge, WIENER, and DeMOSS, Circuit Judges.

PER CURIAM:*

The district court was not required to allow Jerry Williamson to present a defense based on his contention that the Government wrongly classified MDMA as a Schedule I substance. This Court has determined that MDMA has been properly classified as a Schedule I controlled substance. United States v. Piaget, 915 F.2d 138, 140-41 (5th Cir. 1990). The scheduling of a drug is a matter of law, not a question of fact for the jury. See United States v. Greenwood, 974 F.2d 1449, 1472 (5th Cir. 1992).

AFFIRMED.

* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.