

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-3145
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

LEOPOLD RAMIREZ,
aka Abel Abarca Leiva,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. CA-92-623 (CR-90-113-H2)
- - - - -
(March 25, 1994)

Before KING, DAVIS, and DeMOSS, Circuit Judges.

PER CURIAM:*

Leopoldo Ramirez is not entitled to have his sentence reduced based on a retroactive application of the November 1992 amendment to U.S.S.G. § 3E1.1. The policy statements to the sentencing guidelines concerning the retroactive application of amendments to the guidelines do not provide for retroactive application of that amendment. See United States v. Crain, No. 92-3869 (5th Cir. June 22, 1993) (unpublished) (copy attached); U.S.S.G. §§ 1B1.10(a) and (d), p.s. (Nov. 1992); see also United

* 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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

States v. Ainsworth, 932 F.2d 358, 362 (5th Cir.), cert. denied,
112 S.Ct. 346 (1991).

AFFIRMED.