

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 94-10158

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

JEFFREY DEAN ROESEL,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas  
(3:93-Cr-331-X(01))

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(November 3, 1994)

Before WISDOM, KING and DUHÉ, Circuit Judges.

PER CURIAM:\*

The crux of the appellant's argument in this case is that the district court did not consider the appellant's ability to comply with its restitution order as it was required to do under the Victim and Witness Protection Act of 1982. We have read the transcript of the sentencing hearing, and we are persuaded that the district court did, in fact, consider the appellant's future ability to comply with its order.

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 Pursuant to that Rule, the court has determined that this opinion should not be published.

The judgment of conviction and sentence of the appellant is  
AFFIRMED.