

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 94-10698  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellant,

versus

JOE EARL STRONG,

Defendant-Appellee.

- - - - -  
Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:94-CR-11-A

- - - - -  
(January 25, 1995)

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

PER CURIAM:\*

Joe Earl Strong appeals his sentence for possession with intent to distribute crack cocaine. The disparity between sentences for cocaine and crack cocaine possession does not violate equal protection or due process. *United States v. Galloway*, 951 F.2d 64, 65-66 (5th Cir. 1992). Nor are the sentencing provisions for crack cocaine disproportionately harsh in violation of the Eighth Amendment. *United States v. Fisher*, 22 F.3d 574, 579-80 (5th Cir.), *cert. denied*, 115 S. Ct. 529

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

(1994). Nor are those provisions void for vagueness. *United States v. Thomas*, 932 F.2d 1085, 1090 (5th Cir.), *cert. denied*, 112 S. Ct. 264, 112 S. Ct. 428 (1991), and 112 S. Ct. 887 (1992).

APPEAL DISMISSED. 5TH CIR. R. 42.2.