

UNITED STATES COURT OF APPEALS
for the Fifth Circuit

No. 94-41309
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

VERSUS

JO ANNE CARTER,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Louisiana
(94 CR 50033 01)

September 11, 1995

Before HIGGINBOTHAM, DUHÉ, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:¹

Jo Anne Carter appeals her sentence from pleading guilty to wire fraud. She committed the wire fraud from prison after her probation for another offense was revoked. Carter contends that the district court erred by running her wire fraud sentence consecutively to her current sentence and by not crediting her wire fraud sentence with the time she has been in custody relative to that charge. We affirm.

¹ 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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

Carter first argues that the district court could not order a consecutive sentence without considering the factors set forth in 18 U.S.C. § 3553(a). Carter, however, did not make this objection to the district court. Consequently, our review is confined to a search for plain error. See United States v. Calverley, 37 F.3d 160, 162 (5th Cir. 1994) (en banc). The district court must consider the factors listed in § 3553(a) in computing any sentence. To run the sentence consecutively, the Court need not consider any other factors if the Defendant committed the offense while in prison. U.S.S.G. § 5G1.3(a); United States v. Hill, 42 F.3d 914, 916 (5th Cir. 1995), petition for cert. filed, ___ U.S.L.W. ___ (June 5, 1995) (No. 94-9576). We see no plain error.

Carter also argues that 18 U.S.C. § 3585 required the district court to credit her wire fraud sentence from the date she was placed in custody relative to the wire fraud charge. Section 3585(b) does not authorize a sentencing court to compute credit for time spent in official detention; rather, the Attorney General makes post-sentencing credit awards through the Bureau of Prisons. United States v. Dowling, 962 F.2d 390, 393 (5th Cir. 1992) (citing United States v. Wilson, 112 S. Ct. 1351, 1354 (1992)). The district court properly rejected this argument.

AFFIRMED.