

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-40427
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

PEDRO AGUILAR, JR.,

Defendant-Appellant.

Appeal from the United States District Court for the
Eastern District of Texas
USDC No. 1:94-CR-94

April 16, 1996
Before JOLLY, JONES, and STEWART, Circuit Judges.

PER CURIAM:*

Pedro Aguilar, Jr., appeals his sentence of 34 months' imprisonment for possession of marijuana with the intent to distribute it. He argues that the district court erred in including information as relevant conduct and by enhancing his offense level for possession of a firearm.

We have reviewed the record and the brief, and we conclude that the district court did not err. The information objected to as relevant conduct was either harmlessly included or included

*Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

without clear error. See United States v. Kings, 981 F.2d 790, 795 n.11 (5th Cir.), cert. denied, 113 S.Ct. 2450 (1993); United States v. Bethley, 973 F.2d 396, 401 (5th Cir. 1992), cert. denied, 507 U.S. 935 (1993). The enhancement for Aguilar's possession of firearms was also not clearly erroneous. United States v. Paulk, 917 F.2d 879, 882 (5th Cir. 1990).

A F F I R M E D.