

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-50827
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

KENT NIGEL WEST,

Defendant-Appellant.

Appeal from the United States District Court for the
Western District of Texas
(EP-95-CR-140)

June 27, 1996

Before SMITH, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

Kent Nigel West appeals his conviction and sentence for aiding and abetting a conspiracy to possess with intent to distribute cocaine. West challenges the sufficiency of the evidence of guilt. Because a jury could rationally have found beyond a reasonable

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

doubt that West had associated with and participated in the criminal enterprise, participated in the venture, and had sought by his actions to make the venture succeed, we hold that the evidence of guilt was sufficient to sustain the conviction. See United States v. Martinez, 555 F.2d 1269, 1271 (5th Cir. 1977).

West also challenges the district court's calculation of his sentence under the Sentencing Guidelines. We hold that the district court did not err in refusing to award a downward adjustment for acceptance of responsibility and did not commit clear error in refusing to hold that West had a minimal role in the criminal venture. See U.S.S.G. §§ 3B1.2, comment. (n.1), and 3E1.1, comment. (n.2); see also United States v. Zuniga, 18 F.3d 1254, 1260-61 (5th Cir.), cert. denied, 115 S. Ct. 214 (1994).

AFFIRMED.