

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-20802  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MARTHA C. RIVERA,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 96-CR-97-2  
- - - - -

February 5, 1997

Before SMITH, DUHÉ, and BARKSDALE, Circuit Judges.

PER CURIAM:\*

Martha C. Rivera argues that the district court clearly erred in refusing to reduce her offense level under U.S.S.G. § 3B1.2 based on her minor role in the offense.

We have reviewed the record, including the presentence report, the briefs, and the transcript of the sentencing hearing, and find that the district court did not clearly err in refusing

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

to make an adjustment for Rivera's role in the offense. Rivera is not entitled to the adjustment merely because she may have been less culpable than her co-defendant in the case. See United States v. Morris, 46 F.3d 410, 426 (5th Cir.), cert. denied, 115 S. Ct. 2595 (1995).

Rivera's argument that she is entitled to a reduction under § 3B1.2 because she meets the criteria of § 5C1.2 is unsupported.

AFFIRMED.