

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-21090
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

WALTER PATRICK BOLEN,

Defendant-Appellant.

Appeal from the United States District Court for the
Southern District of Texas
USDC No. 96-CR-57-3

September 24, 1997
Before JOLLY, BENAVIDES, and PARKER, Circuit Judges.

PER CURIAM:*

Walter Patrick Bolen appeals the 18-month sentence imposed by the district court following the acceptance of his guilty plea for aiding and abetting the interstate transportation of stolen goods. Bolen argues that the district court clearly erred in not finding that he was a minor participant in the conspiracy and reducing his offense level accordingly under § 3B1.2 of the U.S. Sentencing Guidelines. Because Bolen was held responsible for only the amount of loss attributable to him, § 3B1.2 does not require a reduction

*Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

in his base offense level even though his activity in the overall conspiracy may have been minor. United States v. Atanda, 60 F.3d 196, 199 (5th Cir. 1995).

A F F I R M E D.