

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-31047  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ANTHONY DOZIER, also know as Zudu,  
also known as Zulu, also known  
as Anthony Douzier,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Middle District of Louisiana  
USDC No. 96-CR-17-4  
- - - - -

October 22, 1997

Before POLITZ, Chief Judge, and WIENER and DENNIS, Circuit Judges.

PER CURIAM:\*

Anthony Dozier appeals his sentence for conspiracy to possess with intent to distribute and to distribute cocaine base and cocaine and for distribution of cocaine base in violation of 21 U.S.C. § 841(a)(1). Dozier argues that the district court erred in increasing his base offense level two levels for possession of a dangerous weapon pursuant to U.S.S.G. § 2D1.1(b)(1).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Section 2D1.1(b)(1) of the Sentencing Guidelines provides for a two-point upward adjustment in the base offense level in sentencing for a drug offense if a dangerous weapon was possessed, "unless it is clearly improbable that the weapon was connected with the offense." § 2D1.1, comment. (n.3); United States v. Mitchell, 31 F.3d 271, 277 (5th Cir. 1994). Dozier did not present any evidence showing that the information used to calculate his sentence was untrue, inaccurate, or unreliable. In the absence of such evidence, the presentence report provided a sufficient evidentiary basis for the factual determination, and the district court did not err in accepting the information as true. United States v. Valencia, 44 F.3d 269, 274 (5th Cir. 1995). The district court did not err in applying the two-level enhancement to Dozier's base offense level for possession of a dangerous weapon pursuant to § 2D1.1(b)(1).

AFFIRMED.