

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-40075
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ERSKINE WILLIAM BONE,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 6:94-CR-56-2
- - - - -

October 23, 1996

Before POLITZ, Chief Judge, JOLLY, and HIGGINBOTHAM, Circuit Judges.

PER CURIAM:*

Erskine William Bone appeals the sentence he received following his guilty-plea conviction to possession of a listed precursor chemical with intent to manufacture methamphetamine. Bone argues that the district court erred by using U.S.S.G. § 2D1.1, instead of § 2D1.11, to consider the appropriate amount of drugs attributable to him in calculating his offense level. He also argues that the district court denied him a reduction in

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

his offense level for acceptance of responsibility.

The district court did not clearly err in its calculation of the amount of drugs attributable to him, see United States v. Puig-Infante, 19 F.d. 929, 942 (5th Cir.), cert. denied, 115 S. Ct. 180 (1994), and did not clearly err by denying Bone a reduction for acceptance of responsibility. See United States v. Thomas, 12 F.d. 1350, 1372 & n.39 (5th Cir.), cert. denied, 114 S. Ct. 1861, and cert. denied, 114 S. Ct. 2119 (1994).

AFFIRMED.