

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-50522
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ANA ESPINOSA,
a/k/a Grouch,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. W-95-CR-007 (20)

- - - - -
December 11, 1996

Before WIENER, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Ana Espinosa appeals her guilty-plea conviction for two counts of use of a communication device to facilitate the commission of a felony. The district court did not clearly err when it considered Espinosa's actions which might have been barred from prosecution by the statute of limitations in sentencing Espinosa. See United States v. Lokey, 945 F.2d 840 (5th Cir. 1991); United States v. Moore, 927 F.2d 825 (5th Cir.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

1991).

AFFIRMED.