

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-31182
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

STANLEY A. WILLIAMS,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 97-CR-153-ALL-N

May 21, 1998

Before WIENER, BARKSDALE, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Former United States Postal Service employee Stanley Williams appeals his sentence for embezzlement of mail matter. Williams contends that the district court abused its discretion by departing upward, pursuant to U.S.S.G. § 5K2.9, based on its determination that Williams stole mail in order to facilitate his possession and use of crack cocaine, and that the court further erred in imposing a fine of \$20,000.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Of course, we review the district court's decision to depart upward for an abuse of discretion. See, e.g., **United States v. Wells**, 101 F.3d 370, 372 (5th Cir. 1996). Having reviewed the record, we conclude that the district court did not abuse its discretion.

In addition, we find no clear error in the district court's imposition of a \$20,000 fine. See, e.g., **United States v. Matovsky**, 935 F.2d 719, 721 (5th Cir. 1991).

Accordingly, the judgment is

AFFIRMED.