

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-40317
(Summary Calendar)

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

BRYAN AND BRYAN ASPHALT - ROAD OIL
COMPANY, William Todd Bryan,
Chairman of the Board of Directors,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
(USDC No. 6:96-CR-38-1)
- - - - -

September 4, 1997

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

PER CURIAM:*

Bryan and Bryan Asphalt and Road Oil Company appeals from the district court's order of restitution to Panola County, Texas. The defendant argues that the district court erred by assessing restitution for loss caused by conduct beyond the specific conduct that was the basis of the offense of conviction and beyond the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

parties' agreement concerning restitution contained in the plea agreement. We have reviewed the record and find no reversible error. See United States v. Arnold, 947 F.2d 1236, 1237 (5th Cir. 1991). Accordingly, the judgment of the district court is AFFIRMED.