

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-40435
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

KHAHN HOAI NGO,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. G-96-CR-7-3
- - - - -

December 9, 1997

Before BARKSDALE, BENAVIDES, and STEWART, Circuit Judges.

PER CURIAM:*

Khahn Hoai Ngo appeals his sentence, contending it was clear error for the district court to assess a three-level enhancement for his managerial role, pursuant to U.S.S.G. § 3B1.1(b), when calculating his sentence. Ngo also argues that the district court clearly erred in determining the amount of loss attributable to him under §§ 1B1.3(a)(1)(B), 2F1.1(b)(1)(E).

The presentence report supports the determination that Ngo was a § 3B1.1(b) manager or supervisor. The district court did

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

not clearly err in assessing the three-level enhancement. *United States v. Manthei*, 913 F.2d 1130, 1135 (5th Cir. 1990). Reliable and unrebutted evidence also shows that the district court did not err in calculating the amount of loss reasonably foreseeable to Ngo. *United States v. Maseratti*, 1 F.3d 330, 340 (5th Cir. 1993).

AFFIRMED.