

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-50702
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ROBERTO HERNANDEZ,

Defendant-Appellant.

CONSOLIDATED WITH
No. 97-50877

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSÉ JUAN SANCHEZ-BERRELES,

Defendant-Appellant.

Appeals from the United States District Court
for the Western District of Texas
USDC Nos. DR-97-CR-12-ALL & DR-97-CR-178-ALL

June 17, 1998

Before DAVIS, PARKER, and DENNIS, Circuit Judges.

PER CURIAM:*

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Roberto Hernandez and José Juan Sanchez-Berreles appeal their respective sentences following guilty-plea convictions for conspiracy to possess with intent to distribute marijuana and possession with intent to distribute marijuana. They challenge the district court's findings that they were not entitled to a reduction in their offense level for their minor roles in the offenses.

The district court did not clearly err in refusing to grant them the reductions as they were charged only with the drugs that they each possessed. United States v. Flucas, 99 F.3d 177, 181 (5th Cir. 1996), cert. denied, 117 S. Ct. 1097 (1997). Accordingly, the judgments of the district court are AFFIRMED.