

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-50853  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GERALDO H. RODRIGUEZ,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. A-96-CR-152-ALL

- - - - -  
August 10, 1998

Before JONES, SMITH, and STEWART, Circuit Judges.

PER CURIAM:\*

Geraldo H. Rodriguez appeals his jury conviction of possession with intent to distribute heroin. He argues that 1) his confessions were involuntary because they were induced by police officers' promise to not file charges against his wife if he cooperated, and 2) the district court erred in attributing 730 grams of heroin to Rodriguez.

The record indicates that there was sufficient evidence to support a good faith arrest of Rodriguez's wife, and therefore Rodriguez's argument that his confessions were involuntary

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

because of his desire to extricate her criminal charges is without merit. See Allen v. McCotter, 804 F.2d 1362, 1364 (5th Cir. 1986).

The presentence report's and the officer's testimony at the sentencing hearing provided a sufficient indicia of reliability for the district court to find that Rodriguez was accountable for 730 grams of heroin. United States v. Golden, 17 F.3d 735, 736-37 (5th Cir. 1995); United States v. Gracia, 983 F.2d 625, 628-30 (5th Cir. 1993).

AFFIRMED.