

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 98-30183  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JULIUS WARNER MARACALIN,  
also known as Big Warner,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Middle District of Louisiana  
USDC No. 95-CR-4-B-M1  
- - - - -

October 20, 1999

Before JONES, WIENER, and STEWART, Circuit Judges.

PER CURIAM:\*

We affirmed Julius Warner Maracalin's conviction and sentence for conspiracy to possess with intent to distribute cocaine base and distribution of cocaine base but vacated the portion of the judgment imposing a fine for further findings as to Maracalin's ability to pay. On remand, the district court issued a written ruling setting forth reasons for its imposition of the \$100,000 fine.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Maracalin, through counsel, argues on appeal that the district court plainly erred in reimposing the fine when the evidence indicates that he would have no money with which to pay it. Maracalin has filed a pro se motion to dismiss his appointed appellate counsel and to substitute a new counsel for appeal. The motion is DENIED.

Our review of the record and the arguments and authorities convinces us that the fine should be affirmed. Although Maracalin complains that the district court did not rely on "more specific or supportive information than was [previously] available," he fails to show that the court plainly erred in reimposing the \$100,000 fine after making additional specific findings regarding Maracalin's ability to pay. See United States v. Landerman, 167 F.3d 895, 899 (5th Cir. 1999).

AFFIRMED. MOTION DENIED.