

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-41230
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CULLEN YAW,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 6:98-CR-26-4

August 26, 1999

Before KING, Chief Judge, and JOLLY and DAVIS, Circuit Judges.

PER CURIAM:*

Cullen Yaw appeals his sentence, which was imposed after he entered a guilty plea to intent to distribute and distribution of methamphetamine. He argues that the district court abused its discretion in refusing to grant him a downward departure under U.S.S.G. § 5K2.12, p.s.

We lack jurisdiction to consider Yaw's contention. "The imposition of a lawful sentence coupled with the decision not to depart from the guidelines provides no grounds for relief." United States v. DiMarco, 46 F.3d 476, 477 (5th Cir. 1995).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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DISMISSED.