

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-50192
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

BENJAMIN ROMERO,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. P-97-CR-137-1

November 8, 1999

Before DAVIS, EMILIO M. GARZA, and DENNIS, Circuit Judges.

PER CURIAM:*

Benjamin Romero appeals his sentence following his guilty-plea conviction for possession with intent to distribute marijuana. Romero argues that the district court incorrectly determined that Romero supervised or led one or both of his codefendants in the offense and that his offense level should not have been increased by two under U.S.S.G. § 3B1.1(c).

The district court's determination that Romero supervised or led one or both of the other two participants in the offense under § 3B1.1(c) is a factual finding reviewed for clear error.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

See United States v. Valencia, 44 F.3d 269, 272-73 (5th Cir. 1995). Our review of the record reveals that the district court's determination was plausible in light of the record read as a whole and was not clearly erroneous. Accordingly, Romero's sentence is AFFIRMED.