

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 99-20121  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

FRANCISCO PEREZ ORDONES, also known as Francisco  
Perez-Ordonez,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. H-98-CR-142-3  
- - - - -

December 15, 1999

Before JOLLY, HIGGINBOTHAM, and BARKSDALE, Circuit Judges.

PER CURIAM:\*

Francisco Perez Ordonez ("Ordonez") appeals from his guilty-plea conviction on two counts of harboring illegal aliens and aiding and abetting. He argues that the district court clearly erred by failing to reduce his offense level as a minor or minimal participant, relying on an informant's uncorroborated hearsay testimony, and failing to consider the scope of the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

larger conspiracy when assessing his role. We review the district court's determination regarding a defendant's role in the offense for clear error. See United States v. Zuniga, 18 F.3d 1254, 1261 (5th Cir. 1994).

Ordones's admissions during his arraignment hearing regarding his participation in the offense partially corroborated the informant's hearsay testimony and indicated that he was not entitled to a reduction as a minor or minimal participant. As Ordones failed to present any evidence to rebut the PSR's finding that he was not a minor or minimal participant, the district court was free to adopt such findings without further inquiry. See United States v. Vital, 68 F.3d 114, 120 (5th Cir. 1995). In addition, this court has held that the guidelines do "not require a reduction in the base offense level even though the defendant's activity in a larger conspiracy may have been minor or minimal." United States v. Atanda, 60 F.3d 196, 199 (5th Cir. 1995).

Accordingly, the district court's judgment is AFFIRMED.