

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-21049

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ALTON DANE HUDNALL,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
(H-97-CR-262-3)

May 14, 2001

Before POLITZ and BARKSDALE, Circuit Judges, and FALLON,¹ District Judge.

PER CURIAM:²

Having considered the briefs and pertinent parts of the record, and the arguments of counsel, the district court did *not* abuse its discretion regarding the submission of the evidence at issue nor did it clearly err in enhancing the sentence for abuse of

¹ District Judge of the Eastern District of Louisiana, sitting by designation.

² 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.

a position of trust pursuant to § 3B1.3 of the Sentencing Guidelines.

AFFIRMED