

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-40801
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

WESLEY ERON WHITE,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:98-CR-141-1

February 17, 2000

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

PER CURIAM:*

Wesley Eron White appeals the sentence imposed by the district court upon White's guilty-plea conviction of mailing nonmailable material in violation of 18 U.S.C. § 1461. White argues that the district court erred in applying U.S.S.G. § 3C1.1 to enhance his sentence on account of obstruction of justice.

A district court's finding that a defendant has obstructed justice under § 3C1.1 is a factual finding reviewed for clear error. United States v. Storm, 36 F.3d 1289, 1295 (5th Cir. 1994). Based upon our review of the record, we conclude that the district court did not err in enhancing White's sentence either

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

because White provided a materially false statement to postal investigators or because White provided materially false information to the probation officer conducting the presentence investigation. Accordingly, we AFFIRM the district court's judgment.

AFFIRMED.