

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 99-41257  
Conference Calendar

---

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

KEVIN WILLIAMS,

Defendant-Appellant.

-----  
Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 1:98-CR-166-1  
-----

December 13, 2000

Before DAVIS, STEWART, and PARKER, Circuit Judges.

PER CURIAM:\*

Kevin Williams appeals the sentence imposed by the district court after a jury found him guilty on two counts of possessing a controlled substance with intent to distribute in violation of 21 U.S.C. § 841(a)(1). Citing Apprendi v. New Jersey, 120 S. Ct. 2348 (2000), he argues that the district court erred by holding him responsible at sentencing for a drug quantity that was neither charged in the indictment nor proved beyond a reasonable doubt. Because Williams did not raise this type of objection in the district court, we review for plain error. See United States

---

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

v. Anderson, 174 F.3d 515, 525 (5th Cir. 1999). We perceive no error, plain or otherwise. See United States v. Keith, 230 F.3d 784, 786-87 (5th Cir. 2000).

AFFIRMED.