

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-60315
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSHUA LEACH,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 1:98-CR-59-13-B
- - - - -

April 14, 2000

Before WIENER, DeMOSS, and PARKER, Circuit Judges.

PER CURIAM:*

Joshua Leach appeals his sentence following his guilty plea conviction for distribution of crack cocaine. Leach argues that the district court erred in failing to hold an evidentiary hearing to determine the amount of drugs attributable to him and that the district court erred in sentencing him on the basis of more than 1.5 kilograms of cocaine.

Because Leach failed to present relevant evidence to rebut the drug-quantity calculations in the presentence report (PSR), the district court was free to adopt the findings of the PSR

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

without further inquiry. United States v. Huerta, 182 F.3d 361, 364 (5th Cir. 1999), cert. denied, 120 S. Ct. 1238 (2000). The district court's finding as to the drug quantity is not clearly erroneous. United States v. Huskey, 137 F.3d 283, 291 (5th Cir. 1998).

Leach also argues for the first time in his reply brief that he was entitled to a minor role adjustment and entitled to receive the safety valve reduction. Arguments raised for the first time in a reply brief are waived. United States v. Jackson, 50 F.3d 1335, 1340 n.7 (5th Cir. 1995).

Leach's motion to supplement and amend his appellate brief pursuant to Fed. R. Civ. P. 15(a) and (b) is DENIED.

AFFIRMED. MOTION DENIED.