

February 13, 2007

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 06-41079  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSE DEJESUS ALONSO, also known as Marco Antonio Vasquez,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 4:05-CR-71-4  
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Before BARKSDALE, GARZA, and CLEMENT, Circuit Judges.

PER CURIAM:\*

Jose DeJesus Alonso pleaded guilty to count one of his indictment, which charged him and four others with conspiracy to distribute and possess with intent to distribute and dispense five kilograms or more of a mixture or substance containing cocaine. See 21 U.S.C. § 846. He appeals the sentence imposed for this offense, arguing that a three-level enhancement to his offense level under U.S.S.G. § 3B1.1(b) was improper.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

The district court imposed this enhancement based on its finding that Alonso was a manager or supervisor in a criminal activity that involved at least five participants. This finding is reviewed for clear error. See United States v. Rose, 449 F.3d 627, 633 (5th Cir. 2006). Based on the record as a whole, such a finding was plausible and therefore not clearly erroneous. See id.

Accordingly, the judgment of the district court is AFFIRMED.