

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

March 6, 2008

Charles R. Fulbruge III
Clerk

No. 07-50735
Summary Calendar

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

LOUIS ALFONSO KREZDORN

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 2:04-CR-289-1

Before WIENER, GARZA, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Defendant-Appellant Louis Alfonso Krezdorn appeals his 33-month sentence for conspiring illegally to access federal interest computers for private financial gain. He contends that the district court erred in applying a sentencing adjustment for obstruction of justice. We review the district court's interpretation and application of the Guidelines de novo and its factual findings for clear error. *United States v. Gonzalez*, 445 F.3d 815, 817 (5th Cir. 2006).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Even if Krezdorn were correct, the adjustment for obstruction of justice would be proper with respect to the bribery convictions from related case no. 2:04-CR-290 (bribery case), with which the instant offense was grouped for sentencing purposes and which formed the basis for the sentence in this case. He did not contend that the obstruction adjustment was erroneous in the bribery case, and we have already affirmed the sentence in that case. *United States v. Krezdorn*, 2007 WL 3230409, at * 1-2 (5th Cir. Oct. 31, 2007). Thus, even if the adjustment for obstruction of justice were not properly applicable to the instant offense of conviction, the sentencing calculus under the applicable grouping provisions would not be affected. See FED. R. CRIM. P. 52(a).

AFFIRMED.