

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

March 13, 2008

\_\_\_\_\_  
No. 07-40290  
Summary Calendar  
\_\_\_\_\_

Charles R. Fulbruge III  
Clerk

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

JOSE DAVID PEREZ-CEPEDA

Defendant-Appellant

\_\_\_\_\_  
Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 5:06-CR-1057-ALL  
\_\_\_\_\_

Before WIENER, GARZA, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Jose David Perez-Cepeda appeals the 78-month sentence that was imposed following his conviction for possession of more than five kilograms of cocaine with intent to distribute. Perez-Cepeda argues that the district court erred by denying his request for an additional one-level reduction to his offense level for acceptance of responsibility. The Government did not move for such a reduction.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Consequently, the district court did not err by denying this request. See U.S.S.G. § 3E1.1, comment. (n.6).

Perez-Cepeda also argues that his sentence, which was within the pertinent guidelines range, was unreasonable. Our review of the record shows no error in connection with Perez-Cepeda's sentence. The district court committed no procedural error at sentencing, and the sentence imposed is substantively reasonable. See *Gall v. United States*, 128 S. Ct. 586, 594 (2007). The judgment of the district court is AFFIRMED.