

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-51030
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JUAN FRANCISCO SOLIS,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. SA-01-CR-109-2

August 23, 2002

Before JONES, STEWART, and DENNIS, Circuit Judges.

PER CURIAM:*

Juan Francisco Solis appeals the sentence imposed following his conviction for a marijuana conspiracy. He argues that the district court relied on erroneous information in the presentence report (PSR) and on an erroneous recollection of the evidence presented at trial to impose a two-level upward adjustment under U.S.S.G. § 3B1.1 for a leadership role in the offense.

Facts contained in a PSR are considered reliable and may be adopted without further inquiry if the defendant fails to present

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

competent rebuttal evidence. See United States v. Parker, 133 F.3d 322, 329 (5th Cir. 1998). Solis presented no evidence at the sentencing hearing, and our review of the record convinces us that the testimony adduced at trial, as well as the facts contained in the PSR, are sufficient to support the district court's imposition of the two-level enhancement under U.S.S.G. § 3B1.1.

Solis also argues that to the extent that the district court's reasons for overruling his objection to the PSR and imposing the role adjustment are unclear, a remand is required for the entry of more explicit factual findings. This court has held that although specific findings by the district court would be helpful for appellate review, a district court is not required under U.S.S.G. § 3B1.1 to make any finding of fact more specific than that the defendant is a "manager" or "leader." See United States v. Mejia-Orosco, 867 F.2d 216, 221-22 (5th Cir. 1989). Solis has not shown that the district court's factual findings are insufficient or that a remand is required. Accordingly, his sentence is AFFIRMED.