

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

April 29, 2011

Lyle W. Cayce  
Clerk

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No. 10-30562  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

EDWARD PAUL VERDIN,

Defendant-Appellant

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 6:09-CR-347-1

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Before HIGGINBOTHAM, SMITH, and HAYNES, Circuit Judges.

PER CURIAM:\*

Edward Paul Verdin appeals the sentence imposed following his guilty plea to mail fraud and money laundering. He argues that the district court clearly erred in applying a four-level enhancement pursuant to U.S.S.G. § 2B1.1(b)(14)(B)(i) based on a finding that he substantially jeopardized the safety and soundness of a financial institution.

We review the district court's application of the enhancement for clear error. *United States v. Juarez*, 626 F.3d 246, 251 (5th Cir. 2010). The

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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Government presented un rebutted evidence that Verdin misrepresented the amount of the institution's reserves, leading to the payment of a dividend that placed the institution in a dire financial position from which it could not recover. This testimony, among other testimony from the witness called by the Government, thus supported a finding that the financial institution was rendered insolvent substantially on account of Verdin's actions, warranting the enhancement. *See* U.S.S.G. § 2B1.1, comment (n.12(A)); *cf. United States v. Blocker*, 104 F.3d 720, 736-37 (5th Cir. 1997).

AFFIRMED.