

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

No. 17-30367
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

July 9, 2019

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

KAREEM MCKINNON, also known as Kareem Olajuwon McKinnon,

Defendant-Appellant

Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 3:15-CR-172-1

Before HIGGINBOTHAM, ELROD, and DUNCAN, Circuit Judges.

PER CURIAM:*

Kareem McKinnon was convicted of one charge of conspiring to distribute cocaine and sentenced to serve 96 months in prison and a four-year term of supervised release. Now, he argues that the district court clearly erred by finding that he was a manager or supervisor of the conspiracy and imposing a corresponding three-level upward adjustment under U.S.S.G. § 3B1.1(b).

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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Because he objected to the disputed adjustment, review is for clear error. *See United States v. Cabrera*, 288 F.3d 163, 173 (5th Cir. 2002). A factual finding is not clearly erroneous if it is plausible when viewed in context of the entire record. *United States v. Cisneros-Gutierrez*, 517 F.3d 751, 764 (5th Cir. 2008).

Review of the record shows that McKinnon exercised control over the pecuniary assets of the organization, directed another member of the conspiracy to safeguard these assets, and also directed this individual as to how she should behave while transporting assets of the organization. Accordingly, the record shows that the district court did not clearly err by imposing the disputed adjustment. *See United States v. Rodriguez-Lopez*, 756 F.3d 422, 435 (5th Cir. 2014); *See United States v. Delgado*, 672 F.3d 320, 345 (5th Cir. 2012) (en banc).

AFFIRMED.