

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-40564  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RAMON LUIS GARCIA,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 4:94-CR-24-3  
- - - - -

February 10, 1998

Before SMITH, EMILIO M. GARZA, and DeMOSS, Circuit Judges.

PER CURIAM:\*

Ramon Luis Garcia appeals his sentence for conspiracy to possess with the intent to distribute crack cocaine.

Garcia argues that the district court's findings of fact and its reliance on the presentence report (PSR), which the court adopted, fail to comply with the requirements for attributing a drug quantity to a defendant in a drug conspiracy. See U.S.S.G. § 1B1.3(a). He also argues that the district court clearly erred by finding that Garcia was a minor participant, not a minimal

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

participant, pursuant to § 3B1.2. We have carefully reviewed the record and the appellate briefs. We conclude that the district court's findings, concerning the drug quantity for which Garcia is held accountable, are adequate. See United States v. Castillo, 77 F.3d 1480, 1495 (5th Cir.), cert. denied, 117 S. Ct. 180 (1996). The court's finding as to Garcia's role in the offense was not clearly erroneous. See United States v. Gaytan, 74 F.3d 545, 561 (5th Cir.), cert. denied, 117 S. Ct. 77 (1996).

AFFIRMED.