

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-10296
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

HENRY EARL CHILDRESS,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:99-CR-234-11-H
- - - - -
December 13, 2000

Before DAVIS, STEWART, and PARKER, Circuit Judges.

PER CURIAM:*

Henry Earl Childress appeals his sentence after pleading guilty to one count of conspiracy to possess marijuana with intent to distribute in violation of 21 U.S.C. § 846. He argues that the district court erred in imposing a two-level increase under U.S.S.G. § 2D1.1(b)(1) for possession of a firearm. Specifically, he maintains that the Government did not meet its burden of proving that the weapon found in his home was involved in the offense. He also contends that the district court made insufficient findings in overruling his objections.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

After reviewing the record and the briefs of the parties, we hold that the district court did not err in imposing a two-level increase under § 2D1.1(b)(1) for possession of a firearm. The district court's decision to impose a two-level increase under § 2D1.1(b)(1) was not clearly erroneous. See United States v. Menesses, 962 F.2d 420, 428-29 (5th Cir. 1992). Furthermore, the findings at the sentencing hearing and subsequent adoption of the presentence report were sufficient to support the district court's decision to overrule Childress' objection. See United States v. Mora, 994 F.2d 1129, 1141 (5th Cir. 1993).

AFFIRMED.