

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-20571
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DANIEL FRANCOIS DE GROENEWALD,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-99-CR-578-ALL

June 13, 2001

Before WIENER, DeMOSS, and DENNIS, Circuit Judges.

PER CURIAM:*

Daniel Francois De Groenewald appeals his sentence on a guilty plea conviction for transporting or shipping child pornography in interstate commerce and traveling in interstate commerce for the purpose of engaging in a sexual act with a person under the age of eighteen. In his sole argument on appeal, De Groenewald challenges the five-level enhancement applied pursuant to U.S.S.G. § 2G2.2(b)(2). De Groenewald contends that the enhancement applies only when the distribution is for pecuniary gain. De Groenewald concedes that our opinion

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

in *United States v. Canada*, 110 F.3d 260, 263 (5th Cir. 1997), forecloses his argument. However, he asserts that the decision in *Canada* should be reversed.

We rejected De Groenewald's position in *United States v. Fowler*, 216 F.3d 459, 460 (5th Cir.), *cert. denied*, 121 S. Ct. 387 (2000). One panel may not overrule the opinion of another panel. *See id.* De Groenewald's argument is foreclosed. *See id.* The judgment of the district court is AFFIRMED.