

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 00-20600  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHN CHIME,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. H-95-CR-108-3  
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April 12, 2001

Before JOLLY, HIGGINBOTHAM, and JONES, Circuit Judges.

PER CURIAM:\*

John Chime appeals the 23-month sentence imposed by the district court when it revoked his supervised release. He contends that the district court failed to consider the Chapter 7 policy statements of the Sentencing Guidelines. Because Chime failed to raise this issue in the district court, review is for plain error only. See United States v. Ayers, 946 F.2d 1127, 1131 (5th Cir. 1991). In Ayers, we stated that when the district court imposed a sentence within its discretion, "[t]he failure to articulate a consideration of the [Chapter 7] policy statements

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

was not plain error." 946 F.2d at 1131. Chime does not contend that his sentence was outside the statutory range. Because Chime has identified no plain error, the sentence of the district court is AFFIRMED.