

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 00-41489  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

VICTOR MANUEL PALACIOS-DIMAZ,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. M-00-CR-380-1

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October 18, 2001

Before POLITZ, STEWART, and DENNIS, Circuit Judges.

PER CURIAM:\*

Victor Manuel Palacios-Dimaz appeals his sentence following a guilty plea for possession with intent to distribute approximately 85 kilograms of marijuana in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C). He maintains that the district court erred by declining to grant him a two-level adjustment for a claimed minor role in the offense under U.S.S.G. § 3B1.2. We review for clear error a trial court's

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

factual determination that a defendant is not entitled to a minor role adjustment.<sup>1</sup>

Having reviewed the record and briefs herein, we conclude that the district court did not err in refusing to grant Palacios the claimed adjustment.<sup>2</sup>      AFFIRMED.

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<sup>1</sup>United States v. Zuniga, 18 F.3d 1254 (5th Cir. 1994).

<sup>2</sup>United States v. Gallegos, 868 F.2d 711, 713 (5th Cir. 1989); United States v. Rojas, 868 F.2d 1409 (5th Cir. 1989); United States v. Buenrostro, 868 F.2d 135 (5th Cir. 1989).