

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-11153
Summary Calendar

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

WILFREDO PRIETO

Defendant - Appellant

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:00-CR-239-23-A and
USDC No. 4:01-CR-88-1-A
- - - - -

March 1, 2002

Before KING, Chief Judge, and JOLLY and DeMOSS, Circuit Judges.

PER CURIAM:*

Wilfredo Prieto appeals from his sentence following his guilty-plea conviction for two counts of possession with intent to distribute approximately 43.6 pounds of a substance containing marijuana. He argues that the district court erred by increasing his sentence for obstruction of justice and by failing to decrease his sentence for acceptance of responsibility.

Our review of the record and the arguments and authorities convinces us that no reversible error was committed. The

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

district court did not clearly err by holding that Prieto warranted application of the obstruction-of-justice adjustment. See United States v. Upton, 91 F.3d 677, 687 (5th Cir. 1996). The district court also did not err by holding that Prieto did not warrant an adjustment for acceptance of responsibility. See United States v. Lujan-Sauceda, 187 F.3d 451, 451-52 (5th Cir. 1999). Accordingly, the district court's judgment is AFFIRMED.