

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 01-20082  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GUANGQIU TIAN,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. H-00-CR-352-2  
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December 12, 2001

Before HIGGINBOTHAM, BARKSDALE, and STEWART, Circuit Judges.

PER CURIAM:\*

Guangqiu Tian appeals his sentence following his conviction for participating in a conspiracy involving the transportation and harboring of aliens. Tian argues that there was insufficient evidence allowing the district court to hold him accountable for the number of aliens transported by other drivers within the conspiracy and that his offense level should not have been increased by three under U.S.S.G. § 2L1.1(b)(2)(A).

We review the district court's application of the Sentencing Guidelines de novo and its findings of facts for clear error.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

United States v. Claiborne, 132 F.3d 253, 254 (5th Cir. 1998).

A factual finding is not clearly erroneous if it is plausible in light of the record read as a whole. United States v. Watson, 966 F.2d 161, 162 (5th Cir. 1992). Our review of the record reveals that there was sufficient support for the district court's determination that Tian was accountable for the transportation and harboring of at least six aliens and that the three level enhancement under U.S.S.G. § 2L1.1(b)(2)(A) was not clear error.

AFFIRMED.