

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-21042
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JORGE LISANDRO GALVEZ-CRUZ,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-01-CR-359-1
- - - - -

May 8, 2002

Before DAVIS, BENAVIDES, and CLEMENT, Circuit Judges.

PER CURIAM:*

Jorge Lisandro Galvez-Cruz (Galvez) appeals the sentence imposed following his guilty-plea conviction for harboring illegal aliens in violation of 8 U.S.C. § 1324. Galvez asserts that the district court erred by increasing his base offense level by nine levels pursuant to U.S.S.G. § 2L1.1(b)(2). He contends that the information in the PSR was speculative and that the district court erred in relying on this information because no one had testified before the district court as to these facts.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

A defendant who objects to the sentencing court's consideration of the information in the PSR bears the burden of proving that the information is "materially untrue, inaccurate or unreliable." United States v. Angulo, 927 F.2d 202, 205 (5th Cir. 1991). Galvez has not met this burden. See United States v. Parker, 133 F.3d 322, 329 (5th Cir. 1998). Therefore, we AFFIRM his sentence.

AFFIRMED.