

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 01-21168  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

WILLIAM NASH, JR.,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. H-01-CR-216-1  
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October 28, 2002

Before DeMOSS, BENAVIDES, and STEWART, Circuit Judges.

PER CURIAM:\*

William Nash, Jr., challenges the sentence he received after he pleaded guilty to possession with intent to distribute five or more kilograms of cocaine and to conspiracy to possess with intent to distribute the same. Nash argues that the district court's written judgment improperly delegates to the probation office the determination of his ability to pay for substance abuse detection and treatment while on probation.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

The argument Nash makes was rejected by this court in United States v. Warden, 291 F.3d 363, 364-65 (5th Cir. 2002). The sentence imposed by the district court is

AFFIRMED.