

FILED

June 5, 2003

Charles R. Fulbruge III
Clerk

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-21183
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SERGIO CALDERON-MONTECZUMA,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
(H-01-CR-385-ALL)

Before BARKSDALE, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Sergio Calderon-Monteczuma appeals the sentence imposed following his guilty-plea conviction for illegal reentry following deportation. 8 U.S.C. §§ 1326(a) and (b)(2). He contends that, in the special conditions of supervised release, the district court impermissibly delegated its authority by ordering the probation office to determine: (1) the extent of Calderon's required participation in drug and/or alcohol treatment programs; and (2) the drug-detection techniques to which Calderon must submit.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Calderon did not object, however, to the special conditions. "The plain error doctrine requires parties to raise objections at procedurally opportune junctures as early in the judicial process as possible." **United States v. Lopez**, 923 F.2d 47, 50 (5th Cir.), *cert. denied*, 500 U.S. 924 (1991). At sentencing, Calderon had ample opportunity to lodge an objection to the special conditions. Accordingly, our review is limited to plain error. *E.g.*, **United States v. Vega**, 324 F.3d 798, 801 n.3 (5th Cir. 2003); **Lopez**, 923 F.2d at 50.

Calderon has failed to provide binding authority demonstrating that the delegation was a clear or obvious error. Therefore, Calderon has not demonstrated this required element for reversible plain error. *See Vega*, 324 F.3d at 801 n.3.

AFFIRMED