

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 01-40688  
Summary Calendar

---

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

VIRDIS LARON BONNER,

Defendant-Appellant.

- - - - -  
Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. C-00-CR-227-1  
- - - - -

January 3, 2002

Before REAVLEY, DAVIS and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:\*

Virdis Laron Bonner appeals from his resentencing following his guilty-plea conviction for aiding and abetting bank fraud. Bonner's sole argument on appeal is that the district court erred by failing to consider his economic circumstances before setting his payment schedule. He concedes that, because he failed to object to the restitution order in district court, this issue is reviewed only for plain error.

In setting the manner in which, and the schedule according to which, the restitution is to be paid, the sentencing court is

---

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

required to consider the defendant's financial situation. See 18 U.S.C. § 3664(f)(2). In the instant case, the district court adopted the PSR's findings as to Bonner's financial status and affirmed its intention to consider Bonner's ability to pay when determining the payment schedule for his restitution. The instant situation does not constitute reversible error.

AFFIRMED.