

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-50056
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

PEDRO VENEGAS, also known as
Victor Torres-Gutierrez, also
known as Pedro Rangel Hernandez,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. EP-00-CR-1562-ALL-H

September 17, 2001

Before JOLLY, HIGGINBOTHAM, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Pedro Venegas appeals his sentence following his guilty-plea conviction for importing and possessing marijuana in violation of 21 U.S.C. §§ 841, 952, and 960. Venegas argues that the district court erred in refusing to adjust his sentence downward for accepting responsibility and for being a minor participant in the offense.

Given the enhancement of Venegas' sentence under U.S.S.G. § 3C1.1, Venegas' use of false names, his refusal to speak with

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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 probation officer, and the great deference given to the sentencing judge, the district court's refusal to apply the downward adjustment for acceptance of responsibility was not error. See United States v. Lujan-Sauceda, 187 F.3d 451, 452 (5th Cir. 1999). Nor is there any error in the district court's refusal to apply the minor-participant adjustment given the large amount of marijuana involved. See United States v. Rojas, 868 F.2d 1409, 1410 (5th Cir. 1989). The judgment of the district court is AFFIRMED.