

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-51100
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

PANFILO PITA-RAYO,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. W-99-CR-13-10

December 12, 2002

Before JOLLY, JONES, and WIENER, Circuit Judges.

PER CURIAM:*

Panfilo Pita-Rayo appeals the sentence imposed by the district court following his guilty-plea conviction for conspiracy to commit money laundering and maintaining a place for unlawful distribution of methamphetamine. He argues that the district court erred in increasing his offense level by two points for obstruction of justice pursuant to U.S.S.G. § 3C1.1. Because Pita-Rayo, through his attorney, presented materially false information concerning his residence and employment history

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

at the arraignment and detention hearing in an attempt to obtain release pending trial, the district court did not err in increasing his offense level by two points for obstruction of justice. See U.S.S.G. § 3C1.1, comment. (n.4(f)); United States v. Montano-Silva, 15 F.3d 52, 53-54 (5th Cir. 1994).

AFFIRMED.