

October 5, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 06-20074
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GREGORY HOLDEN, also known as Doug,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:05-CR-231-2

Before JONES, Chief Judge, and SMITH and STEWART, Circuit Judges.

PER CURIAM:*

Appealing the Judgment in a Criminal Case, Gregory Holden raises arguments that are foreclosed by United States v. Robinson, 119 F.3d 1205, 1208, 1215 (5th Cir. 1997), which held that in Hobbs Act prosecutions based on local activities that affect interstate commerce, the Government need not prove that the effect of an individual defendant's conduct was substantial so long as the regulated activity, in the aggregate, could reasonably be thought to substantially affect interstate

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

commerce. The Government's motion for summary affirmance is GRANTED, and the judgment of the district court is AFFIRMED.