

April 4, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 06-50986
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

KANDY ALLEN JACKEL,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 4:06-CR-60-ALL

Before JONES, Chief Judge, and HIGGINBOTHAM and CLEMENT, Circuit
Judges.

PER CURIAM:*

Appealing the Judgment in a Criminal Case, Kandy Allen
Jackel raises arguments that are foreclosed by United States v.
Slaughter, 238 F.3d 580, 582-84 (5th Cir. 2000), which held that
Apprendi v. New Jersey, 530 U.S. 466 (2000), did not render
21 U.S.C. § 841 unconstitutional on its face. The Government's
motion for summary affirmance is GRANTED, and the judgment of the
district court is AFFIRMED.

* 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this opinion should not be published and is not precedent except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.